

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM NO. M-40522 OF 2017
DECIDED ON : 30.11.2017**

Avtar Singh

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Ashok Giri, Advocate,
for the petitioner.

Mr. Kanisth Ganeriwala, AAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.79 dated 27.07.2017 under Sections 21(1) and 4(1) of The Mines and Minerals (Development and Regulation) Act, 1957 and Section 188 IPC, registered at Police Station Sadar, District Rupnagar.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and he has been arraigned as an accused, as the JCB machine was recovered from the land of petitioner. He further contends that the petitioner was using the JCB machine to level his land. He also contends that petitioner is not involved in any other case.

This Court, by the order dated 31.10.2017, had directed the petitioner to join investigation and in the event of his

arrest, he was ordered to be released on ad-interim bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Shinderpal Singh, states that in pursuance to the order dated 31.10.2017, the petitioner has joined investigation and is not required for custodial interrogation.

In view of the above and without expressing any opinion on the merits of case, the order dated 31.10.2017, granting ad-interim bail to the petitioner, is hereby made absolute. However, the petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

NOVEMBER 30, 2017

shalini

1. Whether speaking/reasoned : YES/NO
2. Whether reportable : YES/NO