

**CRM-M-19070-2018 and
CRM-M-19049-2018**

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

Date of Decision: 04.09.2018

1. CRM-M-19070-2018

Gurdip Singh

... Petitioner

Versus

State of Punjab

... Respondent

AND

2. CRM-M-19049-2018

Kulwant Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Surinder Thakur, Advocate,
for the petitioners.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

This order shall dispose of CRM-M-19070-2018, filed by petitioner-Gurdip Singh and CRM-M-19049-2018, filed by petitioner-Kulwant Singh, under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.43 dated 05.03.2018, registered at Police Station Tanda, District Hoshiarpur, under Section 21 of the Mines and Minerals (Development and Regulation) Act,

**CRM-M-19070-2018 and
CRM-M-19049-2018**

Notice of motion was issued in both these petitions. Learned State counsel has put in appearance on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

From the record, I find that as per the prosecution version, the present petitioners were driving tractor-trolleys loaded with sand. They are stated to have run away from the spot. They are stated to be owners of the vehicles.

In pursuance of the interim orders dated 07.05.2018 passed in CRM-M-19070-2018 and CRM-M-19049-2018 by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Recovery has already been effected. Therefore, no useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in both these petitions and the same are allowed. The orders dated 07.05.2018 passed in CRM-M-19070-2018 and CRM-M-19049-2018, granting interim bail to the petitioners, are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

04.09.2018

parveen kumar

Note: Whether speaking/reasoned
Whether reportable

**(INDERJIT SINGH)
JUDGE**

: Yes
: No