

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

CRM-M No.22976 of 2018 (O&M)

Decided on: 12.09.2018

Mohan Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Pardeep Singh Mirpur, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.81 dated 13.04.2018, registered under Sections 379 IPC and 21 of the Mines and Minerals Regulations Development Act, 1957 at Police Station Nathana, District Bathinda.

The operative part of the order dated 28.05.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“.... Counsel for the petitioner has submitted that during pendency of the anticipatory bail application before the Additional Sessions Judge, the petitioner was granted interim bail and was directed to join investigation vide order dated 26.04.2018 and the petitioner has joined the investigation, however, later on the application has been dismissed on the ground that the recovery of the tractor is not effected and the petitioner has not furnished the affidavit that he is not the owner of the tractor. It is

further submitted that in the supporting affidavit filed along with this petition, it is specifically stated that the petitioner is not the registered owner of the tractor and the petitioner had undergone a surgery of gall bladder on 26.03.2018 and, therefore, he being under medical treatment was not involved in the alleged occurrence which has taken place on 12.04.2018.

Notice of motion for 12.09.2018....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 28.05.2018, the petitioner has already appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from HC Rajpal Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 28.05.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

12.09.2018
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No