

CRM-M-23340-2018

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

CRM-M-23340-2018

Date of Decision: 27.08.2018

Ranjit Singh and others

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. G.S.Sandhu, Advocate,
for the petitioners.

Mr. Sukhdeep Parmar, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioners-Ranjit Singh, Bidhi Chand, Prithi, Raghubir Singh, Jagat Ram and Bhagat Ram have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.39 dated 30.03.2018, registered at Police Station Kalka, District Panchkula, under Section 379 IPC and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

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

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From the record, I find that as per the spot inspection of Paploha area conducted by the Field Staff, it was found that illegal mining was being done on getting chance during dark hours as well as in odd times in the fields of Ramesh etc. and pits were also there.

In pursuance of the interim order dated 31.05.2018 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Nothing is to be recovered from them. Therefore, no useful purpose will be served by sending the petitioners 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 this petition and the same is allowed. The order dated 31.05.2018, granting interim bail to the petitioners, is 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.

27.08.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

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