

CRM-M-2410-2018

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

CRM-M-2410-2018

Date of Decision:08.08.2018

Amrit Lal

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Rajni Maurya, Advocate for
Mr. Naveen Batra, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Amrit Lal has 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.160 dated 27.10.2017, registered at Police Station Nangal, District Roopnagar, under Sections 21 (1) and 4(1) of the Mines and Minerals (Regulation of Development) Act, 1957 and Section 188 IPC.

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 petitioner as well as learned State counsel and have gone through the record.

CRM-M-2410-2018

From the record, I find that as per the allegations, the accused were loading sand from a minor canal in a tractor-trolley with the help of J.C.B. Machine. As per the FIR, two persons ran away from the spot. As per the prosecution version, the present petitioner was the driver of J.C.B. Machine.

In pursuance of the interim order dated 22.01.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him 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 22.01.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner 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.

08.08.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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