

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25468-2018 (O&M)

Date of decision: 09.08.2018

Isran and others

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Namit Khurana, Advocate
for the petitioners.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.55 dated 08.04.2018 under Section 379 IPC and Section 21(4)(1) of Mining Act, registered at Police Station Khizrabad, District Yamuna Nagar.

On 11.06.2018, following order was passed: -

“Learned counsel for the petitioners submits that as per Rule 104 of Haryana Minor Mineral Concession, Stocking and Transportation of Minerals and Prevention of Illegal Mineral Rules, 2012, in case of first violator, there is a provision for releasing him on payment of fine, which shall be not less than Rs.10,000/- and the FIR is to be registered where an accused is found to be a habitual offender. Counsel for the petitioners further submits that the petitioners are the first offenders.

Notice of motion for 09.08.2018.

In the meantime, petitioners are directed to appear before the Investigating Officer within a period of 10 days to join the

investigation and they will be released on interim bail on furnishing bail/surety bonds subject to the following conditions: -

- 1. They will make themselves available for interrogation by a police officer as and when required;*
- 2. They will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- 3. They will not leave India without previous permission of the Court.”*

Learned counsel for the petitioners submits that in pursuance of the aforesaid order dated 11.06.2018, petitioners have joined the investigation and are not required for any further investigation.

Learned State counsel, on instructions from ASI Satish Kumar, has not disputed the factual position and states that the petitioners are no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 11.06.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

09.08.2018

vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No