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IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CRM-M No.37542 OF 2018(O&M)
Date of Decision: 17.12.2018

Baldev Singh and anotherPetitioners

versus

State of PunjabRespondent

CORAM HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present Ms. Rajni Maurya, Advocate for the petitioners.
Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

MAHABIR SINGH SINDHU, J(ORAL)

Present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioners in case FIR No. 93 dated 30.09.2017, under Sections 379 and 188 IPC and 21(1)4(1) of Mines and Minerals (Development and Regulation) Act, 1957, registered at Police Station Anandpur Sahib District Roopnagar.

This Court on 30.08.2018 had passed the following order:-

“Heard.

Learned counsel for petitioners submits that petitioners have been nominated in this case on the basis of statement of co-accused despite the fact that they have nothing to do with excavating machine make pock line and tippers recovered from the spot. He further submits that petitioners will not seek release of aforesaid vehicles on superdari as they have no connection with the same. Notice of motion for 29.11.2018. Petitioners are directed to surrender before the police and join investigation within two weeks. In the event of their arrest being required, they shall be released on interim bail till the next date, subject to their

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furnishing bonds to the satisfaction of Arresting Officer.

However, they shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which they shall lose the benefit of interim bail allowed to them.

A copy of this order be conveyed to Chief Judicial Magistrate/Illaq Magistrate, Rupnagar.

Learned counsel for the petitioners contends that after investigation, the police has prepared the cancellation report in the matter and the petitioners have been found innocent.

Leaned State counsel, on instructions from ASI Mohinder Pal, has accepted the factum of cancellation report.

In view of the above, the present petition has been rendered infructuous and the same is disposed off as such.

17.12.2018
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No