

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-404-2019 (O&M)
Date of decision: 07.03.2019

Shammi and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Mehndiratta, Advocate
for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for grant of anticipatory bail in FIR No.80 dated 28.11.2018 under Section 21 (1) of the Mines and Minerals (Development & Regulation) Act, 1957 and Section 379 IPC, registered at Police Station Shahpur Kandi, District Pathankot.

While granting interim bail to the petitioners, following order was passed by this Court on 11.01.2019:-

“Learned counsel for the petitioners inter alia submits that it will be a debatable issue whether the FIR under Mines and Minerals (Development & Regulation) Act, 1957 will be maintainable as only a complaint is maintainable under the said Act.

Learned State counsel, on instructions from the Investigating Officer, submits that petitioners may be directed to join the investigation.”

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

Learned State counsel, on instructions from ASI Narinder Singh, 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 11.01.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

07.03.2019
vishnu

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