

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

**CRM-M No.8198 of 2019 (O&M)
Date of Decision: 21.05.2019**

Karamjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. K.S.Lakhanpal, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.13 dated 29.01.2019, under Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, registered at Police Station Bullowal, District Hoshiarpur.

This Court, while issuing notice of motion on 22.02.2019, passed the following order:-

“ Learned counsel for the petitioner submits that the vehicle allegedly involved in illegal mining is already in police possession, thus, no recovery is to be effected from the petitioner. Consequently, custodial interrogation of the petitioner is not necessary. The petitioner undertakes to cooperate with the investigation and to provide all information sought by the Investigating Agency.

Notice of motion for 21.05.2019.

The petitioner is directed to join investigation with the Investigating Officer on 01.03.2019 at 10.00 a.m. and co-operate therewith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/SHO concerned subject to his joining the investigation and compliance of the provisions enshrined under Section 438 (2) Cr.P.C.

It is made clear that in case the Investigating Agency informs the Court that the petitioner is not cooperating with the investigation, interim protection granted to him would be liable to be vacated. ”

Contentends that in terms of above order, petitioner has joined the investigation and his custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Rajwinder Singh.

In view of above, interim order dated 22.02.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

May 21, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>