

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-12964-2019 (O&M)
Date of Decision:-28.5.2019

Nayab Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manbir Singh Batth, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab,
assisted by ASI Davinder Singh.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.0081 dated 15.4.2018 at Police Station Chamkaur Sahib under Sections 379 and 188 of Indian Penal Code, 1860 and Sections 4(1) and 21(1) of Mining and Minerals Act.

The allegations, in nutshell, are that the petitioner had indulged in illegal mining and the value of the illegal mined material was ₹22,540/-.

The learned Sessions Judge, Ropar while hearing the application for grant of anticipatory bail had directed the petitioner to deposit an amount of ₹22,540/- before the Illaqa Magistrate/Duty Magistrate and had thus granted bail subject to the deposit of the aforesaid amount.

However, since the aforesaid amount was not deposited, the petition was ultimately dismissed.

When this matter was listed on 20.3.2019, this court had stayed the arrest of the petitioner subject to the condition that he would comply with the aforesaid condition of deposit of ₹22,540/- in addition to deposit of another amount of ₹10,000/- as costs with Secretary, District Legal Services Authority.

The learned counsel for the petitioner has today stated at the bar that the aforesaid amount of ₹22,540/- and ₹10,000/- stand deposited.

Having regard to the nature of the allegations and bearing in mind the fact that the aforesaid deposit has been made, the interim directions issued by this Court vide order dated 20.3.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The present petition stands accepted accordingly.

28.5.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No