

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

CRM-M No.45516 of 2019 (O&M)
DATE OF DECISION : 21st NOVEMBER, 2019

Sanjeev Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Naveen Batra, Advocate for the petitioner.

Mrs. Amarjit Kaur Khurana, DAG, Punjab.

* * * *

RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.93 dated 06.08.2019 registered under Sections 21(1), 4(1) of Mining & Mineral (Development & Regulation) Act, 1957 and Section 379 & 188 IPC at Police Station Nurpurbedi, District Rupnagar.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted and the same is created under the political pressure. It is further contended that the alleged crusher plant was not even operational on the date, alleged in the FIR. Only unused machinery is lying there. The petitioner would not have any objection even if the police or Mining Department, seal the crusher plant, till the petitioner gets a valid license. Still further, it is submitted that nothing was recovered by the police or the Mining Department from the spot. It is also submitted that although, there is Mining Officer meant to supervise the mining and crushing operations in the area, however, there

has never been any report from any Mining Officer qua the operation of the plant by the petitioner earlier.

However, it is submitted by the counsel for the State, that the police would require the petitioner for investigation. The petitioner has not even joined the investigation so far.

In view of the above, the petition is allowed. It is ordered that the petitioner shall join the investigation. In the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

21st NOVEMBER, 2019
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

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