

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47776-2019 (O&M)
Date of decision: 17.12.2019

Mohammad Najim

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Inderjeet Singh, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.62 dated 05.05.2019 under Sections 379, 188 IPC and Rule 81(5) of the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals and Prevention of Illegal Mining Rule, 2012 (added later on), registered at Police Station Buria, District Yamuna Nagar.

While granting interim bail to the petitioner, following order was passed by this Court on 08.11.2019: -

“...Counsel for the petitioner has submitted that the complaint in the instant case was given by the complainant after 05 days and thereafter, the FIR was registered even after 17 days. It is further submitted that some of the co-accused have already been granted

the concession of anticipatory bail. It is also submitted that it is a matter of trial whether the petitioner was holding a licence or not as the petitioner has relied upon the documents (Annexures P-3 and P-4) in support of his arguments... ”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from SI Amrik Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 08.11.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

17.12.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No