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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 12542 of 2020 (O&M)

Decided on: 21.08.2020

Daljit Singh Tank @ Kala Sarpanch

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Onkar Rain, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.56 dated 10.05.2020 registered under Sections 21 of the Mines and Minerals (Development and Regulation) Act, 1957, Section 188 IPC and 51 of the Disaster Management Act, 2005 at Police Station Machhiwara, Police District Khanna, District Ludhiana.

The operative part of the order dated 20.05.2020, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Counsel for the petitioner has argued that as per the allegations in the FIR, one Lala and the petitioner, who is Sarpanch of the village are doing illegal mining through JCB Machines and Tippers and if a raid is conducted at the spot, they can be arrested. The FIR was registered on the aforesaid information, however, no raid was conducted at the spot to find out the truth in the allegations. It is further argued that, in fact, the petitioner is a Sarpanch and had previously contested the election of

CASE HEARD THROUGH VIDEO CONFERENCING

the Block Samiti and on political ground, he has been falsely implicated though, all the activities of mining are not possible due to current situation in the State of Punjab.

Notice of motion....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 20.05.2020, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from the Investigating Officer, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 20.05.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

21.08.2020
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Whether speaking/reasoned Yes/No

Whether reportable: Yes/No