

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

CRM-M-18501-2020 (O&M)

Date of Decision:- 24.11.2020

Mehtab Hassan

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. G.C.Shahpuri, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG Haryana.

*(Proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.141, dated 19.6.2020, Police Station Chhachhrauli, District Yamuna Nagar, under Sections 420, 467, 468, 471 IPC.
2. At the time of issuance of notice of motion, the following order was passed :-

“The allegations against the petitioner are to the effect that when his truck (dumper) was apprehended by the police in connection with illegal mining, the petitioner got the same released subsequently while furnishing forged bills by mentioning the value of the truck (dumper) to be less than ₹25 lakhs and accordingly by paying ₹2.20 lakhs as penalty.

However, later during the course of investigation the police found out that the value of the truck (dumper) was infact about ₹31.5 lakhs and consequently the penalty leviabale was to be ₹4 lakhs in view of order dated 19.2.2020 passed by National Green Tribunal as per which in case of a vehicle valued at more than ₹25 lakhs, the penalty is ₹4 lakhs.

It has been submitted that the petitioner has made good the deficiency in penalty and that the total amount of ₹4 lakhs already stands paid.

Notice of motion for 24.11.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the 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.”

3. The learned State counsel has informed that pursuant to interim directions, petitioner has since joined investigation and that the petitioner had already made good the deficiency in penalty.
4. Having regard to the facts and circumstances and the fact that the petitioner has already deposited the deficient amount of penalty and has already joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued vide order dated 14.7.2020 are hereby made absolute subject to the condition that the petitioner shall appear and join investigation as and when called upon to do so and cooperate

with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

November 24, 2020

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(GURVINDER SINGH GILL)

JUDGE

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|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |