

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

CRM-M-27664-2020 (O&M)
Date of Decision: October 26, 2020.

JASWANT SINGH Petitioner(s)

Versus

STATE OF PUNJAB Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Raman Goklaney, Advocate
for the petitioner.
Mr. Ajay Pal Singh, D.A.G., Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 175 dated 30.08.2020, under Section 379 of IPC and Section 21(3) of Mines and Minerals (Development and Regulation) Act, 1957, Police Station Sadar Ferozepur, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this matter. No offence punishable under Section 379 of IPC and Section 21(3) of Mines and Minerals (Development and Regulation) Act, 1957, is made out against the petitioner. The petitioner, it is submitted, specifically denies any illegal mining on his own land as alleged in the FIR. Moreover, the petitioner, pursuant to order dated 14.09.2020, has since joined investigation and he undertakes to cooperate in the investigation of the matter.

Learned counsel for the petitioner further submits that the petitioner is not involved in any other criminal case. It is thus prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State on instructions from ASI Sukhwinder Singh, verifies that the petitioner has joined investigation and his custodial interrogation is not required. It is further verified that the petitioner is not involved in any other criminal case.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 14.09.2020 is made absolute. Needless to say, the petitioner shall comply with the conditions stipulated under Section 438(2) of Cr.P.C.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

October 26, 2020
Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No