

CRM-M-27669-2020 (O&M)

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

CRM-M-27669-2020 (O&M)

Date of Decision: October 26, 2020.

KARAM KAUR

..... Petitioner(s)

Versus

STATE OF PUNJAB

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Avtar Singh Bhatti, 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. 136 dated 27.08.2020, under Sections (21)(1), 4(1) of Mines and Minerals (Development and Regulation) Act, 1957, Police Station Sadar Rupnagar, District Rupnagar.

Learned counsel for the petitioner submits that the petitioner is a seventy two(72) year old woman and has been falsely implicated in the above said FIR. It is submitted that none of the offences as alleged are made out against the petitioner. It is vehemently denied that the petitioner has indulged in or permitted any kind of illegal mining on her own land. Furthermore, it is submitted, that the petitioner has joined investigation pursuant to order dated 14.09.2020. Learned counsel for the petitioner states that the petitioner is not involved in any other criminal case and she undertakes to cooperate in the investigation of the matter. 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 Jasmail Singh, verifies that the petitioner has joined investigation and her 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