

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

**CRM-M-30938-2020**

**Date of decision:05.11.2020**

Deepak Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

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

Present:- Mr. Arnav Sood, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

**HARNARESH SINGH GILL, J. (ORAL)**

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.130 dated 09.09.2020 registered under Section 21 (1) of the Mines and Minerals (Development and Regulation) Act, 1957, at Police Station Mukerian, District Hoshiarpur.

On 05.10.2020, a Coordinate Bench of this Court passed the following order:-

“Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 130 dated 09.09.2020, under Section 21 (1) of the Mines and Minerals (Development and Regulation) Act, 1957, registered at Police Station Mukerian, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner has been arraigned as an accused on the suspicion that he was driving tractor-trolley although the same had been apprehended along with earth at the spot. He also contends that the petitioner is not the owner of the tractor-trolley and is not involved in any other criminal case.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

List on 05.11.2020.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on *ad interim* bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner submits that pursuant to the order dated 05.10.2020 passed by a Coordinate Bench of this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Balwant Singh, submits that the petitioner has joined the investigation and is not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 05.10.2020 passed by a Coordinate Bench of this Court granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

**05.11.2020**

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**(HARNARESH SINGH GILL)**  
**JUDGE**

|                            |        |
|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |