

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36249-2020

Date of Decision: 22.12.2020

Malkeet Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Neeraj Madaan, Advocate,
for the petitioner.

Mr. Mehardeep Singh Dulat, Addl. A.G., Punjab.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No.0014 dated 25.02.2020, under Section 379 of the Indian Penal Code and under Section 21 of the Mines and Minerals (Development and Regulation) Act, registered at Police Station Sadar Jalalabad, District Fazilka.

The learned counsel for the petitioner has submitted that the petitioner was wrongly and falsely implicated in the present FIR and it was done only under the political pressure and enmity in the village. He has further submitted that even otherwise also the allegations, which are contained in the FIR are totally vague and nothing can be made out with regard to the allegations against the petitioner. He has further submitted that even the Gram Panchayat of the village has, vide Annexure P-2, endorsed

this fact that the petitioner is not involved in any such kind of activity and it was only because of the political pressure and enmity in the village and the petitioner has no concern of any kind with the mining activity. It has further been submitted by the Gram Panchayat that the tractor trolley has been forcibly seized by the police from the village Nathu Chishti and there is no sand pit or mine adjoining to the village. He has further submitted that even otherwise also, the custodial investigation in the present case would not be required because nothing is to be recovered from the petitioner.

Notice of motion was issued in this case on 05.11.2020 and the petitioner was granted interim protection by this Court subject to the joining of his investigation with the police.

Today, the learned State counsel on instructions of ASI Malkeet Singh, has submitted that in pursuance of the directions issued by this Court on 05.11.2020, the petitioner has joined the investigation and he is fully cooperating with the investigation process and he is not required for any custodial investigation.

In view of the statement made by the learned State counsel, the present petition is allowed. Order dated 05.11.2020 is hereby made absolute.

(JASGURPREET SINGH PURI)
JUDGE

22.12.2020
adhikari

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No