

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

CRM-M No.159 of 2021

Date of decision : September 27, 2021

Mulakh Raj

..... Petitioner

Versus

State of Punjab

..... Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Dhivya Jerath, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.0157, dated 19.10.2020, registered under Sections 21(1) and 4(1) of Mines and Minerals (Regulation of Development Act), 1957 at Police Anandpur Sahib, District Rupnagar.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a coordinate Bench of this Court dated 15.01.2021. Order dated 15.01.2021 is as under:-

“The case has been taken up for hearing through video conferencing.

Learned State counsel has submitted that reply has been filed in the Registry. However, the reply has not been attached with the paper book. The Registry is directed to attach the reply if any filed with the paper book.

Case is adjourned to 18.03.2021.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim anticipatory bail by the

arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim anticipatory bail allowed to him.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Pritam Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 15.01.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 27, 2021

sarita

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No