

CRM-M-2735-2021
Date of decision: 01.09.2021

...Petitioners

...Respondent

ARVIND SINGH SANGWAN, J. (Oral)

A complaint was submitted by Subhash Sharma alleging that he is owner in possession of the land comprised in Khasra Nos.32//7/1 & 32//7/2, 8,14/1 in village Laskariwala, Tehsil Raipur Rani. He was also cultivating the adjoining land of his son. It is alleged that the petitioners along with others were doing illegal mining. They dug out 5-6 feet depth of the land in the dimension 10 feet long and 2-3 wide from Khasra No.32//7/2 from North to South without permission of the complainant thereby causing loss to him. Demarcation of the place of alleged mining was got conducted on the

directions of the Tehsildar and it was found that there was illegal mining carried out by the petitioners.

Learned counsel for the petitioners contends that the complainant was nursing grudge against the petitioners and that he has falsely named all the six male members of the family of the petitioner. Petitioner Nos.1 & 2 are aged about 72 years and 70 years respectively besides being bed-ridden.

Notice of motion for 08.04.2021”.

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 21.01.2021, have already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Parkash Chand, has not disputed the factual position and submits that the petitioners have joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioners, vide order dated 21.01.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

01.09.2021
Chetan Thakur

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No