

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

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CRM-M-14142-2021

Date of decision : 01.12.2021

Balvir Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Kuldip Singh, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.169 dated 14.08.2020, under Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and Section 379 of the Indian Penal Code, 1860, registered at Police Station Vairoke, District Fazilka.

A Coordinate Bench of this Court on 26.03.2021 had passed the following order:-

“Counsel for the petitioner herein would contend that the instant FIR registered under Section 21 of Mines and Minerals (Development and Regulation) Act, 1957 would not be maintainable because as per the provisions of Section 22 of the said Act, a court can take cognizance under this Act upon a complaint in writing made by a person authorized in his behalf by the Central Government or the State Government. It is also submitted that the tractor-trolley, as mentioned in the FIR, does not belong the petitioner.

Notice of motion.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is appearing

through the medium of video conferencing, accepts notice on behalf of the respondent-State.

Adjourned to 02.09.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned State counsel, upon instructions from ASI Makhan Singh, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the Covid-19 Pandemic, the order dated 26.03.2021 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.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

December 01, 2021
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No