

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 203

CRM-M-14617-2021

Date of decision : 10.12.2021

Harpreet Singh Kahlon

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Anshika Sharma, Advocate, for the petitioner.

Ms.Rashmi Attri, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.32 dated 06.03.2019 registered under Sections 379, 188 IPC and Sections 21(1) and 4(1) of the Mines and Minerals (Regulation of Development) Act, 1957 (Sections 353 and 186 IPC added later on) at Police Station Nangal, District Rupnagar.

On 06.04.2021 this Court had passed the following order: -

“Learned counsel contends that the petitioner has been implicated in a false case on the basis of disclosure statement made by one Bhajan Chand, land owner adjacent to the land where illegal mining was being carried out on 24.02.2019 that the machine and tipper being used in the illegal mining belonged to Kahlon Stone Crusher of the petitioner whereas the petitioner had sold the machine and tipper owned by him, on 27.02.2021 as evident from Annexure P/7 and that apart from the disclosure statement, there was no other material to connect the petitioner with the commission of the offence, besides, the petitioner was ready and willing to join investigation and fully co-operate in the same.

Notice of motion.

Mr. Hittan Nehra, Addl. A.G., Punjab accepts notice and requests for time to file reply.

Adjourned to 17.05.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to his furnishing bail/surety bonds to the satisfaction of the Arresting/ Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined the investigation; has cooperated with the investigating agency and that his custodial interrogation is not required by the State.

In view of the above and the statement made by learned State counsel that the petitioner's custodial interrogation is not required, the order of this Court dated 06.04.2021, granting ad interim anticipatory bail to the petitioner is made absolute.

10.12.2021
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No