

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-10884 of 2020
Date of decision:19.07.2021

Achhar Singh @ Rana

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. G.S.Manku, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.19 dated 20.02.2020 registered under Section 21(1) of Mines and Minerals (Development and Regulation) Act and Section 379 of Indian Penal Code, 1860 at Police Station Talwandi Chaudarian, District Kapurthala.

On 16.03.2020, this Court passed the following order:-

“FIR bearing No.19 dated 20.2.2020 under Section 21(1) Mines and Minerals (Development and Regulation) Act and Section 379 IPC, Police Station Talwandi Chaudarian, District

Kapurthala has been registered on the receipt of the secret information to the effect that the petitioner after excavating sand from his land along with the co-accused has loaded the same in two tractor-trolleys and going to sell the same. Accordingly, a raid was conducted. However, the petitioner was not apprehended at the spot. It has been stated that the co-accused who were arrested at the spot have been granted regular bail. Furthermore, the petitioner was never present at the spot and the alleged excavation was being made in his own land.

Notice of motion for 18.5.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Sarabjit Singh submits that the petitioner has joined investigation and is no longer required for custodial interrogation. He has further instructions to submit that the petitioner is involved in 03 other cases involving similar allegations.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 16.03.2020 granting interim bail to the petitioner is made absolute, subject

to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

The petitioner will furnish an undertaking to the effect that henceforth, he will not indulge in any criminal activity and in case, he violates the undertaking, it will be open to the prosecution to seek cancellation of the bail.

(SUVIR SEHGAL)
JUDGE

July 19, 2021
savita

<i>Whether Speaking/Reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>