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

**CRM-M No.18910 of 2021
Date of Decision:05.08.2021**

GURPREET SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

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

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.24 dated 19.04.2021 registered under Section 21 of Mines and Minerals (Development and Regulation) Act and Section 379 of IPC, at Police Station Arif Ke, District Ferozepur.

Notice of motion was issued on 13.05.2021 in the following manner:-

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

Allegation is of illegal mining from the land of the petitioner himself. In view of Section 22 of Mines and Minerals (Development & Regulation) Act, 1957, no Court can take cognizance of any offence punishable under this Act, except upon a complaint in writing made by a person authorized in this behalf.

Notice of motion for 05.08.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 18.05.2021 at 11.00 A.M. and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer.

However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.”

Learned counsel for the petitioner submits that the petitioner has complied with the said order by appearing before the Investigating Officer on 18.05.2021.

Learned State counsel on instructions from HC Jaljeet Singh admits the aforesaid fact and submits that the petitioner has joined the investigation on 18.05.2021 and custodial interrogation of the petitioner is not required for further investigation in the case.

In view of aforesaid factual position, the interim order dated 13.05.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

05.08.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No