

In the High Court of Punjab and Haryana at Chandigarh

212

CRM-M-21093-2021 (O & M)
Date of Decision: September 15, 2021

SHAM DEEN

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.G.S.Verma, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.84 dated 27.04.2021, under Sections 379 IPC and under Section 21 of the Mining and Minerals (Development and Regulation) Act, 1957, registered at Police Station Sahnewal, District Ludhiana.

Learned counsel for the petitioner contends that it is alleged that the petitioner was driving the JCB machine which was carrying out mining in the land owned by co-accused Sohan Singh. Co-accused Sohan Singh has been granted anticipatory bail by this Court in CRM-M-19575-2021.

A Coordinate Bench of this Court, by the order dated 27.05.2021, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel while referring to short reply by way of affidavit of Commissioner of Police, Police Commissionerate, Ludhiana, District Ludhiana submits that during investigation co-accused Sohan Singh had revealed that the land on which illegal sand mining was being undertaken is in his ownership and he has also produced jamabandi for the year 2012-2013 of village Tibba. It is also mentioned in the affidavit that the intimation of the present case has also been given to SDO (East)-cum-Mining Officer, Ludhiana for information and further necessary action. The SHO, Police Station, Sahenwal has been directed to complete the investigation at the earliest. He upon instructions from ASI Sadhu Singh states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the order dated 27.05.2021 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

September 15, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No