

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(207)

CRM-M-21954-2021

Date of decision:- 06.10.2021

Sukhwinder Singh

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

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

Mr. Rana Harjasdeep Singh, DAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

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

While granting interim protection to the petitioner, this Court passed the following order on 02.06.2021:-

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

Instant petition has been filed under Section 438 Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No. 82 dated 02.05.2021 under Section 21 of the Mines and Minerals (Regulation of Development) Act, 1957, Sections 379 and 188 of the Indian Penal Code, 1860 and Section 51 of the Disaster Management Act, 2005, registered at Police Station Dehlon, Ludhiana Police Commissionerate, Ludhiana (Annexure P-1).

Counsel for the petitioner submits that the FIR (Annexure P-1) has been registered on the basis of a secret information on the allegation that Kuldeep Singh had taken one and a half acres of land on lease on which illegal mining was allegedly being done

during the lock down period. Counsel submits that the petitioner has been falsely framed and he was neither present at the spot nor is he involved in the offence. According to the counsel, petitioner has clean antecedents and is willing to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Saurav Khurana, DAG, Punjab accepts notice on behalf of respondent-State.

List on 06.10.2021.

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

Learned State counsel, upon instructions, from ASI, Baljit Singh, submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 02.06.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

06.10.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No