

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(224)

CRM-M-22398-2021
Date of decision:- 06.10.2021

Lakhwinder Singh @ Lakhvir 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 07.06.2021:-

“The matter has been taken up through video-conferencing due to COVID-19 pandemic.

By this petition, the petitioner is seeking anticipatory bail in case bearing FIR No. 82 dated 02.05.2021 under Section 21 of the Mines and Minerals (Regulation of Development) Act, 1957 and Sections 379, 188 IPC and Section 51 of the Disaster Management Act, 2005 registered at Police Station Dehlon, Ludhiana Police Commissionerate Ludhiana.

Briefly, the aforesaid FIR was registered in pursuance of secret information alleging that Kuldeep Singh had taken one and a half acre of land on lease wherein illegal mining activities were being carried out during lock-down period. The material was being sent to Lakhwinder Singh petitioner and his partner Sukhwinder Singh.

It has been stated by learned counsel for the petitioner that he was not found at the spot, recovery of tipper has already been effected and moreover, the similarly placed co-accused, namely, Kuldeep Singh

and Sukhwinder Singh have already been granted interim bail in terms of order dated 02.06.2021 passed in CRM-M-21956-2021 and CRM-M-21954-2021, respectively.

Notice of motion.

At this stage, Mr. Sidakmeet Singh Sandhu, AAG, Punjab accepts notice on behalf of the respondent-State.

To be heard alongwith CRM-M-21956-2021 on 06.10.2021.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Interim protection granted to the co-accused in CRM-M-21954-2021 and CRM-M-21956-2021 has been made absolute by an order passed on an even date by this Court.

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 07.06.2021 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