

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202)

CRM No. M-23033 of 2021
Date of Decision : 28.09.2021

Gurdeep Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Gopal Singh Nahel, Advocate for the petitioners.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioners are seeking anticipatory bail in FIR No. 110, dated 23.05.2021, registered under Section 379 IPC and Section 21 of Mines and Mineral (Regulation and Development) Act, 1957, at Police Station Dirba, District Sangrur.

Learned counsel for the petitioners contends that the petitioners have joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 15.06.2021. Order dated 15.06.2021 is as under:-

“Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.110 dated 23.05.2021 under Section 379 IPC and Section 21 of Mines and Minerals (Regulation and Development) Act, 1957, registered at Police Station Dirba, District Sangrur.

Contends that false allegations have been levelled against the

petitioners of carrying out illegal sand mining without obtaining necessary permission from the authorities concerned. Further contends that the petitioners were just owners and drivers of the tractor trolley and not even owners of the land where the sand mining was allegedly being carried out. It has been submitted that the land was in the name of co-accused Rupinderpal Kaur and the petitioners services had just been requisitioned by her for levelling the land and hence they were totally unaware of such alleged mining.

Notice of motion for 28.09.2021.

On the asking of the Court, Mr. Luvinder Sofat, AAG, Punjab, accepts notice on behalf of the State.

Meanwhile, the petitioners are directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of their arrest, they shall be admitted to interim bail on their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall abide by the terms and conditions as envisaged under Section 438(2) Cr.PC.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Harmohinder Singh, Police Station Dirba, District Sangrur states that in terms of the order of this Court reproduced before, the petitioners have joined the investigation and no further interrogation of the petitioners is required at this stage.

In view of the above, the order dated 15.06.2021 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioners are required for the investigation but

are not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 28, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*