IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M- 27859-2020 (O&M)
Date of Decision: January 19, 2021

Mithan Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Avtar Singh Bhatti, Advocate
for the petitioner.

Ms. Rashmi Attri, DAG, Punjab.

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JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No. 210 dated 25.08.2020 under Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 registered at Police Station Tanda, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

Learned State counsel, on instructions from ASI Gurmeet Singh submits that petitioner has joined the investigation and he is not

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required for any custodial interrogation.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 15.09.2020 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i) (ii) and (iii) of the Code of Criminal Procedure.

(JAISHREE THAKUR)
JUDGE

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Whether speaking/reasoned Yes
Whether reportable Yes/No

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