

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Ram Gopal

...Petitioner

versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr.Kulwinder S. Lakhanpal, Advocate for the petitioner.
Mr. Sukhbeer Singh, Asstt. A.G., Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No. 183 dated 24.11.2020 registered under Sections 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 at Police Station Bullawal, District Hoshiarpur.
3. On 31.12.2020, the following order was passed:-

“ Learned counsel for the petitioner has submitted that in the present case the transportation of sand was only for personal use and that the petitioner has not committed any offence. He has further submitted that the petitioner is not involved in any other case and that no recovery is to be effected from the petitioner.

Notice of motion for 18.2.2021.

On asking of the Court, Mr.Harpreet Singh Multani, AAG, Punjab, accepts notice on behalf of State.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.. ”

4. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *SI Kanwaljit Singh* confirms that pursuant to the order of this Court dated 31.12.2020, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 31.12.2020, passed by this Court, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

19.08.2021
archana

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>