

203-1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-70-2020

Date of decision-18.03.2021

IMRAN

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sunny Dhull, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, A.A.G., Haryana.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.29 dated 27.02.2019 under Sections 21 (4) (1) of Mines and Minerals Act, 1957 & 379 Indian Penal Code, 1860 registered at Police Station Partap Nagar, District Yamuna Nagar. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 08.01.2020, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that the FIR was lodged against 10 screening plants, including the plant of the petitioner, i.e., M/s Isran Screening Plant without any relevant particulars. The petitioner is in the process of obtaining the licence and yet to commence the activity. He submits that the petitioner is ready to join the investigation.
Notice of motion for 18.05.2020.*

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

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Jasbir Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 08.01.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

18.03.2021
Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No