

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

**CRM-M-3401 of 2022**

**Date of Decision:- 05.04.2022**

Hardev Singh

....Petitioners

Vs.

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present:- Mr. Rahul Sharma, Advocate  
for Mr. Balbir Singh Jaswal, Advocate  
for the petitioner.

Ms. Samina Dhir, DAG Punjab.

**KARAMJIT SINGH, J.**

Prayer is for grant for anticipatory bail to the petitioner in case having FIR No.281 dated 30.11.2021 registered under Sections 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, Police Station Beas, District Amritsar.

The counsel for the petitioner submitted that the petitioner has joined the investigation with the police in compliance of order dated 28.01.2022. This fact has not been refuted by the State counsel but she had made prayer that the present petition be dismissed.

The FIR in the present case was registered against unknown person. The petitioner has joined the investigation with the police in the light of order of interim bail dated 28.01.2022 passed by Co-ordinate bench of this Court. The tipper bearing No.PB06-AK-8269 loaded with sand was recovered by the police on the basis of secret information. As per the status report submitted by the State counsel the said tipper is not owned by the petitioner. Rather, the same was registered in the name of one Gurbinder Singh. There is no document to establish that Gurbinder Singh, transferred the said tipper in the name of petitioner.

In view of the above, as per the recoveries having already been effected in the present case, the petitioner having joined the investigation, no purpose is going to be served even if the petitioner is subjected to police custody. Consequently, the present petition is allowed and order interim bail dated 28.01.2022 is hereby absolute subject to the condition envisaged under Section 438(2) Cr.P.C.

**05.04.2022**

P. Chawla

**( KARAMJIT SINGH)  
JUDGE**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No