

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(207-1)

CRM-M-15532-2022

Date of decision: - 22.11.2022

Manpreet Singh

....Petitioner

Versus

State of Punjab

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Arjun Veer Sharma, Advocate, for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.27 dated 22.03.2022, under Section 379 IPC and Section 21 of the Mines & Minerals (Development and Regulation) Act, 1957, at Police Station Payal, District Ludhiana.

On 13.04.2022, the Co-ordinate Bench of this Court was pleased to pass the following order:-

“Inter-alia relies on the issuance of notice and grant of interim protection by this Court in the cases of similarly placed co-accused Sarwan Singh and Paramjit Singh, who have earlier approached this Court through CRM-M-15143-2022 – Sarwan Singh vs. State of Punjab & CRM-M-15205-2022 – Paramjit Singh vs. State of Punjab.

Notice of motion.

Mr. Davinder Bir Singh, DAG, Punjab, accepts notice on behalf of the respondent-State and prays for time to argue the matter.

Adjourned to 30.08.2022.

To be heard alongwith CRM-M-15143-2022.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.27, dated 22.03.2022, registered under Section 379 IPC and Section 21 of Mines and Minerals (Development and Regulation) Act, 1957 at Police Station Payal, District Khanna, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.

(DEEPAK SIBAL)
JUDGE

April 13, 2022"

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Gurpartap Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances, more so, the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 13.04.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

November 22, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No