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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-38040-2021 (O&M)  
Date of Decision: 25.01.2022

Bayaram @ Sisram

.. Petitioner

Vs.

State of Haryana

..Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Vikas Lochab, Advocate for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

...

**Manoj Bajaj, J. (Oral)**

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.268 dated 30.07.2021, registered under Section 21(1) Mines and Minerals (Regulation of Development) Act, 1957 and Sections 188 and 379 IPC at Police Station Nangal Chaudhary, District Mahendergarh.. The petitioner apprehends 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 14.09.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that the alleged land whereupon the stones were found to be stocked is in possession of the petitioner as a lessee and his co-accused has already been released on anticipatory bail vide order dated 31.8.2021, passed by the trial Court (Annexure P-3). He submits that the case set up by the prosecution is baseless as the alleged loss suffered by the Government is on the basis of proposed fine for damage to environment.*

*Notice of motion for 24.1.2022.*

*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 states 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 Surender Singh does not dispute this fact that the petitioner has joined the investigation and 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 14.09.2021 is made absolute.

25.01.2022  
Jasmine Kaur

**(MANOJ BAJAJ)**  
**JUDGE**

|                           |     |    |
|---------------------------|-----|----|
| Whether speaking/reasoned | Yes | No |
| Whether reportable        | Yes | No |