

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-36070-2022

Date of decision : 21.09.2022

Ravinderjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Satbir Rathore, Advocate
for the petitioner.

Mr.Tarun Aggarwal, Sr.DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.221 dated 25.10.2021 registered under Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 at Police Station Dasuya, District Hoshiarpur.

On 17.08.2022, this Court was pleased to pass the following order:-

“Inter alia contends that in the present case, the petitioner was neither named in the FIR nor was apprehended at the spot and it was one Kulwant Singh who was apprehended at the spot and after a period of 3 months from the registration of the FIR, the said Kulwant Singh had given the statement implicating the present petitioner. It is further submitted that the petitioner is not the owner of the tractor trolley in which sand was being carried and in fact, the owner of the said tractor trolley is one Ruldu Masih and said Ruldu Masih has got tractor trolley released on sapurdari. It is further submitted that the petitioner has never been involved in any other case.

Notice of motion.

On advance notice, Ms.Bhavna Gupta, DAG, Punjab, appears and accepts notice on behalf of the respondent-State.

Adjourned to 21.09.2022.

In the meantime, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his furnishing personal bonds and 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.

(VIKAS BAHL)
JUDGE

August 17, 2022.”

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

Learned State counsel, on instructions of ASI Jagga Ram, has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 17.08.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 17.08.2022 is made absolute.

Nothing stated above shall be construed as an 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 petition.

(VIKAS BAHL)
JUDGE

September 21, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No