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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.43203 of 2021 (O&M)

Decided on: 07.03.2022

Satish Kumar and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. S.K. Yadav, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.265 dated 08.09.2021, registered under Sections 188, 379 IPC and 21(1) of the Mines and Minerals Act, 1957, at Police Station Ateli, District Mahendergarh.

The operative part of the order dated 26.10.2021, vide which interim anticipatory bail has been granted to the petitioners, is reproduced as under:-

“...Learned counsel for the petitioners submits that as per allegations in the FIR, it is stated that the petitioners have violated the orders dated 23.01.2019 and 19.02.2020 passed by the National Green Tribunal, New Delhi as the petitioners have used their vehicle for illegal mining and transportation of the goods.

Learned counsel further submits that the vehicle of the petitioners was seized by the mining officials and a penalty of Rs. 2.14 Lakh was directed to be deposited, however, the petitioners, due to their poor financial conditions, were unable to deposit the penalty.

Learned counsel further submits that on account of non-deposit of the said penalty, the present FIR has been registered against the petitioners.

Learned State counsel, on the basis of the affidavit of the DSP, Kanina, could not dispute the factual position.

List again on 07.03.2022....”

Counsel for the petitioners has submitted that, in pursuance to the order dated 26.10.2021, the petitioners have appeared before the Investigating Officer and have joined the investigation.

Counsel for the State, on instructions from HC Chander Bhan, and on the basis of the affidavit of the Deputy Superintendent of Police, Kanina, District Mahendergarh, has not disputed the aforesaid fact and submits that the petitioners are no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 26.10.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

07.03.2022
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No