

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-45273-2021

Date of decision : 6.1.2022

Gagan Kumar and another

... Petitioners

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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

Mr. H.S.Sullar, DAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of COVID-19 Pandemic.

Short reply by way of affidavit of Ravinder Singh, Deputy Superintendent of Police, Sub Division Dharkalan, District Pathankot is taken on record.

The present petition has been filed under Section 438 of code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.196 dated 21.08.2020 registered under Section 21(1) of the Mine and Minerals (Development & Regulations) Act, 1957 at Police Station Sujanpur, District Pathankot.

Counsel for the petitioners submitted that in compliance of the order dated 29.10.2021, both the petitioners joined the investigation and cooperated with the police.

This fact has also been admitted by the learned State counsel who further submitted that as per instructions of ASI Sanjiv Kumar, the petitioners are not required for any further investigation including their custodial interrogation. As per learned State counsel, recovery of 3 stolen iron angles has already been effected from the petitioners.

In view of the above, as the custody of the petitioners is not required by the police and they have already joined the investigation and got effected recovery of 3 iron angles, the present petition is hereby allowed and order of interim bail dated 29.10.2021 is made absolute subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

January 6, 2022
Paritosh Kumar

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No