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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50758-2021 (O&M)
Date of Decision:28.03.2022

Tirath Ram

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Saurabh Arora, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.139 dated 09.10.2021 registered under Sections 4 and 5 Punjab Land and Preservation Act, 1900 (Amendment Act), Section 1 Indian Forest Act, 1927, Section 2 Forest (Conversation) Act, 1980 and Section 4(1) and 21(1) Mines and Minerals (Regulation of Development) Act, 1957 at Police Station Nurpur Bedi, District Rupnagar, who apprehends his arrest at the hands of Police.

On 06.12.2021, this Court had passed the following order:

“Learned counsel contends that the land in question, which is the subject matter of the FIR is owned by the petitioner and the officials of the Forest Department prohibited him to cultivate the said land and in this regard, the petitioner gave a complaint on 11.08.2021. According to him, in response to the said complaint, the petitioner has been falsely implicated along with his co-accused, namely, Inder Pal Singh, who has been extended the concession of pre arrest bail. He submits that the allegations against the petitioner are false and in the given background, his custodial interrogation may not be necessary.

Notice of motion for 28.03.2022.

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 her 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 has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel, who is instructed by ASI Suresh Kumar, states that indeed 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 06.12.2021 is made absolute.

28.03.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No