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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53961-2021 (O&M)
Date of Decision:25.05.2022

Ravi Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Sandeep Singh Deol, 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.170 dated 16.11.2021 registered under Section 21(1) Mine and Minerals (Regulations and Development) Act, 1957 at Police Station Mehtiana, District Hoshiarpur, who apprehends his arrest at the hands of Police.

On 23.12.2021, this Court had passed the following order:

“This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.170, dated 16.11.2021, registered under Sections 21(1) of the Mines and Mineral (Regulation and Development) Act, 1957, at Police Station Mehtiana, District Hoshiarpur.

Counsel for the petitioner would contend that the petitioner was not arrested from the spot, however, he does not dispute the fact that the vehicle which was half loaded with sand belongs to him. It is submitted that since the vehicle and the sand is in the custody of the police, his custodial interrogation as such would not be required.

Notice of motion for 25.05.2022.

In the meanwhile, the petitioner is

directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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. ”

Learned State counsel, who is instructed by ASI Onkar Singh, 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 23.12.2021 is made absolute.

25.05.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No