

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6880 of 2023
Date of decision: 10th April, 2023

Rohit Singh
... Petitioner

Versus

State of Punjab
... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Inderjit Sharma, Advocate for the petitioner.
Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.0005 dated 09.01.2023 under Section 379 IPC and Section 21(1) of the Mines and Minerals (Development and Regulations) Act, 1957 registered at Police Station Narot Jaimal Singh, District Pathankot.

Vide order dated 09.02.2023, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel for the petitioner inter alia contends that the petitioner was not apprehended at the spot and it was pursuant to a disclosure statement made by co-accused Ajay Kumar and Gulshan Singh, he came to be nominated as an accused. It has further been submitted that he was allegedly driving a tipper which was being used for

mining, however, no gravel, sand, etc. was recovered from the said tipper. Ld. Counsel has further submitted that the owner of the tipper and the stone crusher has already been extended the concession of anticipatory bail.”

Learned counsel for the petitioner submits that in compliance of the order dated 09.02.2023, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In the circumstances, the petition is allowed and the interim order dated 09.02.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

April 10, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No