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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-19045-2023 (O&M)
Date of Decision: 29.08.2023

Parveen Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Arunima Agashi, Advocate for
Mr. Rohit, Mittal, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

...

MAHABIR SINGH SINDHU, J.

1. Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.166 dated 11.03.2023, registered under Sections 4(1)(A), 21(1) of Mines and Minerals (Regulation of Development) Act, 1957 and Section 379 of the Indian Penal Code, 1860, at Police Station City Narnaul, District Mahendergarh.

2. Above FIR was registered on the allegations that the petitioner is the owner of tractor trolley, which was seized by the Mining Department, as it was found loaded with 4 MT illegal mineral (*bajri*) without any license or permit.

3. This Court, vide order dated 27.07.2023, granted interim bail to petitioner and the same reads as under:-

“Since there is no representation on behalf of the petitioner in second round, purely in the interest of justice, posted on 29.08.2023.

In the meanwhile, order dated 19.04.2023 is modified to the extent that petitioner shall join investigation

before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

4. Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.
5. Learned State Counsel, on instructions from HC Pradeep submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.
6. In view of above, interim order dated 27.07.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.

29.08.2023
Jasmine Kaur

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No