

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

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**2023:PHHC:110625**

CRM-M-23474-2023

Date of decision: August 24<sup>th</sup>, 2023

Babulal

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Sourabh Sheoran, Advocate  
for the petitioner.

Mr. Rahul Mohan, Senior Deputy Advocate General,  
Haryana.

**MANJARI NEHRU KAUL, J. (ORAL)**

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in FIR No.117 dated 21.04.2023 for the offences under Sections 188 and 379 of IPC and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 (for Short, 'the Mines Act'), registered at Police Station Nangal Chaudhary, District Mahendargarh.

Vide order dated 31.05.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

*“Learned State counsel, on instructions, has not disputed that the petitioner was not driving the tractor in question from which the Bajari was emptied on the road. However, he submits that petitioner is owner of the tractor in question.”*

Learned counsel for the petitioner submits that in compliance of order dated 31.05.2023, 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 view of the above, the petition is allowed and interim order dated 31.05.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

**August 24<sup>th</sup>, 2023**  
*Puneet*

**(MANJARI NEHRU KAUL)**  
**JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : No