

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:117758
CRM-M-31652-2023
Date of Decision: September 06, 2023

Narveer Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Munish Puri, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

On 05.07.2023, the following order was passed by this

Court:-

“Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.28, dated 10.05.2023, registered at Police Station Taragarh, District Pathankot, under Section 21(1) Mines and Minerals (Development and Regulation Act), 1957 and Section 379 IPC.

As per allegations illegal mining from river in the night was reported on 09.05.2023 by Head Officer SDO, Mining, Pathankot. A raid was conducted. One tractor and JCB machine were found at the spot loaded with sand. The drivers fled away. It was revealed that owner of the JCB machine was Surinder Singh and driver of the same was Amandeep Singh, whereas the person who had run away from the tractor was Roop Singh.

It is contended by learned counsel that petitioner is not named in the FIR and that he has been falsely implicated; that co-accused Amandeep Singh, Roop Singh were specifically named in the FIR, who have already been granted the benefit of anticipatory bail by the Court of learned Addl. Sessions Judge, Pathankot and that the petitioner is ready to join the investigation.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab, accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

Learned State counsel though concedes that petitioner is not named in the FIR, but submits that his name surfaced in the disclosure statement of co-accused Surinder Singh, the owner of the JCB machine. However, learned State counsel also concedes that the case of the petitioner is on similar footing to that of Surinder Singh and Roop Singh, who have already been granted the benefit of anticipatory bail.

Adjourned to 06.09.2023 for filing status report.

Having regard to the aforesaid circumstances, but without commenting anything on the merits of the case, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

Status report by way of affidavit of Shri Sukhjinder Pal Singh, Deputy Superintendent of Police, Sub Divison Rural, District Pathankot, on behalf of respondent-State has been filed, in compliance of the order dated 05.07.2023

On instructions from ASI Satpal Singh, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 05.07.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 05.07.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

September 06, 2023
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(DEEPAK GUPTA)
JUDGE

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