

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:112364
CRM-M-33280-2023
Date of Decision: August 28, 2023

Sucha Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Dinesh Nagar, Advocate for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.(Oral)

On 14.07.2023, 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.0118, dated 28.11.2022, registered at Police Station Rahon, District SBS Nagar, under Sections 21(1) and 4(1) of Mines and Minerals (Regulation of Development) Act, 1957.

Allegations are that on 28.11.2022 on getting information regarding illegal mining in village Kahlon, police party reached there and found that one driver of JCB machine was filling the earth in the trolley. One tractor was also present there. On seeking the vehicle of mining team, the drivers of JCB machine and tractor trolley ran away from the spot. Serial number of JCB machine and registration number of the tractor trolley were noted. It is contended by learned counsel for the petitioner that petitioner is neither the owner nor the driver of the vehicles recovered by the police. He further submits that he is an old person, aged about 72 years and the only attribution to him is that he is owner of the land, where the illegal mining was being done. Petitioner was not aware that any mining is being done on his land.

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.

Adjourned to 28.08.2023 for filing status report.

It is stated by learned State counsel that petitioner has been named on the basis of disclosure statement of co-accused.

Heard.

Having regard to aforesaid facts and circumstances, 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.”

On instructions from ASI Pawan Kumar, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 14.07.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 14.07.2023, 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.

August 28, 2023

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**(DEEPAK GUPTA)
JUDGE**

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No