

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.33877 of 2023
Date of decision: 30th October, 2023

Pala Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Manu Loona, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.335 dated 18.09.2020 under Section 379 of the IPC and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 registered at Police Station Sadar, Fazilka.

2. On the last date of hearing, i.e. 17.07.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner while drawing the attention of this Court to the FIR which has been annexed as Annexure P-1, inter alia contends that a perusal of the same clearly reveals that it had been registered against unknown persons. The petitioner was nominated on the statement of one Balveer Singh after 24 days of the registration of the FIR wherein he stated that he had seen the petitioner driving

the tractor/trolley loaded with sand. Learned counsel submits that the petitioner being falsely implicated in the case in hand is evident from the fact that he has clean criminal antecedents and is not involved in any criminal case much less a case under the Mines Act. He further submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 17.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel has filed status report by way of affidavit of Shubeg Singh PPS, DSP Sub Division Fazilka. He, on instructions from SI Gurjit Singh, 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.

5. In the circumstances, the petition is allowed and the interim order dated 17.07.2023 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 bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

October 30, 2023
rps

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