

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-35769-2023 (O&M)

Date of decision : 14.11.2023

Gagan Kumar and another

... Petitioners

VERSUS

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: None for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab

KARAMJIT SINGH, J. (Oral)

Prayer in this second petition is for grant of anticipatory bail to the petitioners in criminal case having FIR No.196 dated 21.8.2020 registered under Sections 21(1) of Mine and Minerals (Development and Regulations) Act, 1957, Sections 201, 379, 411 IPC and Section 3 of Damage of Public Property Act at Police Station Sujanpur, District Pathankot.

2. The petitioners were earlier granted anticipatory bail by this Court in this very case vide order dated 6.1.2022 (Annexure P-3) but later on, the police added Sections 201, 379, 411 IPC and Section 3 of Damage of Public Property Act. On this, the petitioners apprehending their arrest, filed this 2nd petition under Section 438(2) of Cr.P.C.

3. Today, State counsel on instructions from ASI Sanjiv Kumar, submits that the petitioners have joined the investigation and are not required by the police for any further investigation or custodial interrogation

and that on completion of investigation, the police has presented the challan against the petitioners.

4. In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 26.7.2023 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

November 14, 2023
Paritosh Kumar

(KARAMJIT SINGH)
JUDGE

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