

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47197-2023

Date of decision: 28.11.2023

SHANTI

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Vikram Rana, Advocate for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

DEEPAK GUPTA J. (ORAL)

Status report by way of an affidavit of Suresh Kumar, HPS, Deputy Superintendent of Police, Traffic Panipat on behalf of respondent-State has been filed which is taken on record.

2. On 19.09.2023, the following order was passed by this Court:-

“Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.313, dated 05.08.2023 under Section 379 IPC and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, registered at Police Station Sector 13/17, Panipat.

Allegations are that on 31.05.2023, truck/dumper bearing registration No.HR-56A-8026 was found to be loaded with illegally mined sand, which was apprehended by the C.M. Flying Squad. It is alleged that petitioner being the owner of the truck was involved in the illegal mining. She has not even paid the royalty of sand its price and fine through e-challan in Government treasury, despite receiving notice.

Contention of learned counsel for the petitioner is that petitioner was not present at the spot and was not involved in the illegal mining and she is ready to join the investigation.

Notice of motion.

Mr. Randhir Singh, Addl. A.G., Haryana accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

Adjourned to 28.11.2023 for filing status report.

In the meantime, petitioner is directed to join investigation and co-operate in the same. She 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, she shall be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

3. Today, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 19.09.2023 and is no longer required for further investigation.

4. In view of the aforesaid, the order dated 19.09.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, she shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

November 28, 2023
manisha

(DEEPAK GUPTA)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |