

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47346-2023

Date of decision: 06.11.2023

HARJEET SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Gautam Kaile, Advocate for the petitioner.

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

DEEPAK GUPTA J. (ORAL)

On 21.09.2023, the following order was passed by this Court:-

“The present petition has been filed under Section 438 Cr. PC for grant of pre-arrest bail to the petitioner in case FIR No.37 dated 13.04.2023, registered under Sections 21(1) and 4(1) of Mines and Minerals (Regulation and Development) Act, 1957.

Learned counsel contends that the allegations in the FIR are based on the fact that one tipper that was being used for the purpose of illegal mining. though not recovered from the spot, was owned by the petitioner, as it fell to his share as per the family settlement, was stated by his brother-Sukhjeet Singh. The petitioner was not present at the spot and alleges false implication. It is his specific case that the said tipper was not involved in the excavation which was not even being done from his fields but allegedly from that of his co-accused Maninder Singh, with whom he the petitioner is unconnected. The aforesaid co-accused has been granted interim anticipatory bail by this Court vide order dated 14.09.2023, Annexure P-4. He is not involved in any other case and is ready and willing to join the investigation as and when required by the investigating agency and will cooperate.

Notice of motion.

At the asking of the Court, Ms. Himani Arora, AAG, Punjab accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 29.09.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 06.11.2023.”

2. Today, on instructions from ASI Kamal Kishan, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 21.09.2023 and is no longer required for further investigation.

3. In view of the aforesaid, the order dated 21.09.2023, 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.

4. Disposed of.

November 06, 2023
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(DEEPAK GUPTA)
JUDGE

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