

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-54922-2022 (O&M)

Date of decision : 9.2.2023

Gulshan Kumar

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Munish Puri, Advocate,
for the petitioner.

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

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.53 dated 13.5.2022 registered under Sections 451, 380, 384, 506 IPC at Police Station Sujanpur, District Pathankot.

As per allegations recorded in the FIR, the petitioner and his co-accused Teena Chaudhary along with 2-3 other unidentified persons started interfering in the working of the officials of the Mining Department who had laid picket to check transportation of illegally mined sand and gravel and they also entered into the office of the Mining Department and started abusing Government officials and demanded money from them and threatened to falsely implicate them in some criminal cases and then they left the spot. Thereafter, about ₹ 15,000/- to ₹ 18,000/- were found deficient in the cash which was collected by the employees of the Mining Department in their official capacity.

belongs to congress party and has been falsely implicated in this case and he never interfered in the working of the Government officials and rather tried to inform them about the illegal mining going on in the area on which they got agitated and resultantly, the present FIR was registered against the petitioner and other accused persons. He further submits that on the same day, one another FIR was registered against the petitioner on the basis of false complaint of the official of the Mining Department and in the said case, the petitioner has been granted anticipatory bail vide order dated 23.11.2022 by the Coordinate Bench of this Court. He further submits that the petitioner has joined the investigation in compliance of order of interim bail.

State counsel on instructions from SI Ram Bhajan submits that the petitioner has joined the investigation with the police.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 24.11.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

February 9, 2023
Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No