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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57098-2023
Date of decision: 14.11.2023

DALJIT SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Gopal Singh Nahel, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No.9 dated 02.02.2023, under Sections 21(1), 4(1) of Mines and Minerals (Regulation and Development) Act, 1957, registered at Police Station Sadar Rupnagar, District Rupnagar, Punjab.

2. Learned counsel for the petitioner submitted that the allegation against the petitioner is with regard to excavation of sand illegally. He further submitted that it is a case where the sand was being excavated for the purpose of levelling of land with due permission and other similarly situated co-accused, namely, Tejinder Singh has already been granted the concession of interim anticipatory bail by this Court vide Annexure P-3.

3. Notice of motion.

4. Mr. Ramdeep Partap Singh, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

5. At this stage, learned State counsel, on specific instructions from ASI Jaswinder Singh, submitted that custodial interrogation of the petitioner is not required at all in the present case and in case the petitioner is required to join the investigation, then a notice in writing will be served upon him.

6. In view of the aforesaid facts and circumstances, the present petition is disposed of.

7. It is directed that in case the petitioner is required to join the investigation in future and a notice in writing is issued to him in this regard, then he shall join the investigation and cooperate fully with the investigation process and he will keep on doing so in case he is so required and in case he is to be arrested, then he shall be released on bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

14.11.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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