

**203/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-61143-2022

Date of Decision: 08.05.2023

RAM RAI

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Chetan Bansal, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

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VIVEK PURI, J. (ORAL)

1. On 02.01.2023, the Co-ordinate Bench of this Court had passed the following order:

“The petitioner seeks grant of anticipatory bail in case bearing FIR No. 83 dated 05.09.2022 registered under Sections 21(1) and 4(1) of Mines and Minerals (Regulation and Development) Act, 1957, at Police Station Rahon, District SBS Nagar.

The learned counsel for the petitioner inter alia submits that the petitioner is not named in the FIR and co-accused Gurcharan Singh has already been granted interim bail by this Court vide order dated 09.12.2022 (Annexure P3).

Notice of motion.

Ms. Shivani Sharma, DAG, Punjab accepts notice on behalf of the respondent-State.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to

any police officer;

iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

Adjourned to 08.05.2023.

Meanwhile, State counsel is directed to file an affidavit/status report on or before the next date of hearing.”

2. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.

3. Learned State counsel, on instructions from ASI Hemraj, has not disputed the aforesaid factual aspect and further submitted that the custodial interrogation of the petitioner is not required.

4. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 02.01.2023 is made absolute.

08.05.2023

Janki

(VIVEK PURI)
JUDGE

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