



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-4798-2024

Date of decision: 22.08.2024

Ajmer Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kuldeep S. Saini, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.156 dated 27.12.2023 for the offences under Sections 21(1) and 4(1) of the Mines & Minerals (Development and Regulation) Act, 1957 registered at Police Station Nurpur Bedi, District Ropar.

2. On 30.01.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel inter alia contends that a false and fabricated case has been planted upon the petitioner, even though it was a matter of record that he had a valid license for carrying out the stone crushing in Saidpur. On a pointed query put to the learned counsel as to whether the petitioner was involved in any other case of similar nature, he has replied in the negative and has submitted that even otherwise, as per the Act, being a first time offender, the FIR in question should not have been



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registered against the petitioner, and in case assuming for the sake of arguments that some violation under the Act had indeed been committed, though not admitted, he should have been let off with a fine.”

3. Learned counsel for the petitioner submits that in compliance of order dated 30.01.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from SI Harsh Mohan, does not dispute the submissions made by the counsel opposite that as on date, the petitioner is not involved in any other criminal case except for the case in question. It has also not been disputed that the petitioner has joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 30.01.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C.. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

22.08.2024

Vinay

(MANJARI NEHRU KAUL)

JUDGE

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