



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-5357-2024

Date of decision: 08.05.2024

Jaswinder Singh and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Arjun Veer Sharma, Advocate
for the petitioners.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.80 dated 03.09.2023 under Sections 21(1), 4(1) of the Mines and Minerals (Regulation of Development) Act, 1957 registered at Police Station Chamkaur Sahib, District Rupnagar.

2. On 07.02.2024, while noticing the following submissions made by the learned counsel for the petitioners, this Court had granted the concession of interim bail to the petitioners and asked them to join investigation:-

“Learned counsel for the petitioners, inter alia, contends that all the petitioners have clean antecedents and are not involved in any other criminal case much less a case of similar nature; while petitioner No.1 is the owner of the land, wherein the alleged mining/excavation was allegedly being carried out and the other two petitioners were drivers of the vehicle, which was lying parked at the spot. It has been further submitted that even as per the case of the prosecution, no mining/excavation was being



carried out when the raiding party allegedly arrived at the spot; only empty trolleys were found at the spot, which in fact, had been parked for harvesting of the crops, which stood sown at the place of occurrence.”

3. Learned counsel for the petitioners submits that in compliance of order dated 07.02.2024, the petitioners have joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Ranjit Singh, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioners are not required for further investigation much less for their custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 07.02.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

08.05.2024

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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