

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.11435 of 2024
Date of decision: 22nd May, 2024

Akshit Puri

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Shivani Sharma, Advocate for the petitioner.
Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.16 dated 21.02.2024 under Sections 21 (1) of the Mines and Minerals (Development and Regulation) Act, 1957 and sections 379, 120A of the IPC registered at Police Station Taragarh, District Pathankot.
2. On 04.03.2024, while issuing notice of motion, this Court noticed the following submissions made by the learned counsel for the petitioner:

“*Learned senior counsel for the petitioner, inter alia, contends that the false implication of the petitioner in the crime in question is evident from the fact that firstly he was just a sleeping partner and hence, he was not actively involved in the affairs of ‘M/s Guru Ji Stone Crusher’. It has been submitted that the petitioner was not present when the raiding party arrived at the spot and apprehended three persons, who were carrying out illegal excavation adjoining the area of ‘M/s Guru Ji Stone Crusher’.*”



3. On the last date of hearing, i.e. 19.03.2024, while noticing the following submissions made by learned State counsel, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“On a pointed query put to the learned State counsel, he, on instructions has not disputed that the petitioner has clean antecedents and is not involved in any other criminal case much less a case of similar nature. It has also not been disputed that the prime accused in the case in hand has already been released on regular bail.”

4. Learned counsel for the petitioner submits that in compliance of the order dated 19.03.2024, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions, does not dispute the factum of the petitioner having 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.

6. In the circumstances, the petition is allowed and the interim order dated 19.03.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

May 22, 2024
rps

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