



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-43679-2024

Date of decision: 12.12.2024

Sham Lal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Amit Rana, Sr. 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.14 dated 09.02.2024 for the offences under Sections 21(1) and 4(1) of the Mines and Minerals (Development and Regulation) Act, 1957 registered at Police Station Nangal, District Rupnagar.

2. On 05.09.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had issued notice of motion to the respondent:-

“Learned counsel inter alia contends that the petitioner’s false implication in the present case is evident from the fact that after the lodging of the FIR in question, when the petitioner moved the learned trial Court seeking concession of anticipatory bail, one ASI Tejinder Singh appeared and made a statement that no FIR had been lodged against the petitioner and neither had he been nominated as an accused in the FIR. As per the learned counsel for the petitioner, it was also stated that the petitioner was not required at that stage. Learned counsel submits that strangely, thereafter, the petitioner was falsely implicated in the instant case.”

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3. Thereafter, vide order dated 19.09.2024, the petitioner had been granted interim anticipatory bail and asked to join investigation.
4. Learned counsel for the petitioner submits that in compliance of order dated 19.09.2024, the petitioner has joined investigation and cooperated with the investigating agency.
5. Learned State counsel, on instructions from ASI Tejinder Singh, 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 view of the above, the petition is allowed and interim order dated 19.09.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C.

12.12.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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