

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.46204 of 2023
Date of decision: 11th January, 2024

Mohan Lal
... Petitioners
Versus
State of Punjab
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. K.S. Cheema, Advocate for
Mr. Arnav Sood, Advocate for the petitioner.
Mr. Arun Luthra, Deputy 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.0069 dated 12.08.2023 under Sections 21(1) and 4(1) of the Mines and Minerals (Development and Regulation) Act, 1957 registered at Police Station Rahon, District SBS Nagar.
2. On the last date of hearing, i.e. 09.10.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned State counsel, on instructions from ASI Rashpal Singh, has not disputed that the petitioner was not named in the FIR and had been named as an accused at a later stage only on account of the fact that he was the registered owner of the

tractor which was being used by his son i.e. co-accused, for the purpose of transporting the excavated sand etc.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 09.10.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Rashpal 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.

5. In the circumstances, the petition is allowed and the interim order dated 09.10.2023 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

January 11, 2024
rps

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