



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-52151-2024

Date of decision: 22.04.2025

Harvinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. H.S. Deol, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant (second) petition is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') 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 21.10.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had issued notice of motion:-

“At the outset, on a pointed query put to the learned counsel for the petitioner as to how the instant petition was maintainable, he submits that on the previous occasion inadvertently the criminal antecedents of the petitioner were missed out and hence, the petition was dismissed as withdrawn qua him.”



CRM-M-52151-2024

3. Thereafter, on 14.01.2025 while noticing the following submissions made by the learned State counsel, the petitioner had been granted the concession of interim bail and asked to join investigation:-

“Learned State Counsel, on instructions, submits that the JCB machine along with the tractor were found parked at the spot where mining was being carried out; the tractor found at the spot was registered in the name of the petitioner. On further query as to whether the petitioner is involved in any other case under the Act, Learned State Counsel, on instructions, has replied in the negative.”

4. Learned counsel for the petitioner submits that in compliance of order dated 14.01.2025, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from SHO Gurpreet 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 14.01.2025, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS. 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.

22.04.2025

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(MANJARI NEHRU KAUL)
JUDGE

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