



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

204 (1st case)

**CRM-M-33799-2024(O&M)
Date of Decision: 30.04.2025**

Jagtar Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amrik Singh, Advocate for the petitioners.

Mr. S. S. Chahal, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') for grant of pre-arrest bail to the petitioners in FIR No. 0162 dated 01.11.2023, 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. Allegations are that petitioners being the owners of stone crushers found indulged in illegal mining.

3. Contends that petitioners were granted interim bail by this Court on 03.04.2025 and in pursuance thereof, they have already joined investigation; hence, their custodial interrogation are not required.

4. The above factual position is not disputed by learned State Counsel and submits that their custodial interrogations are not required.



5. Heard both sides and perused the paper-book.
6. It transpires that this Court on 03.04.2025 granted interim bail to the petitioners and the order passed in main case reads as under:-

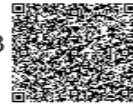
“While making reference to the Permits (A-3 colly), issued by the Government of Punjab, contends, inter alia, that petitioner(s) were granted permission to run the Stone Crusher w.e.f. 18.10.2022 and which have been renewed upto 17.10.2025; thus, petitioners are falsely implicated by the police.

Faced with the above predicament, learned State counsel seeks time to have instructions in the matter.

Posted for 30.04.2025.

In the meanwhile, both the petitioners shall join investigation before the Investigating Officer, but they be not arrested till the next date of hearing.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioners have joined investigation and their custodial interrogations are not required.
8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioners. Consequently, present petition is allowed; interim order dated 03.04.2025 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
9. It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.



10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

11. It is also clarified that in case of any recurrence on the part of petitioners, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

30.04.2025

Harish Kumar

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No