



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

CRM-M-37690-2024

Date of decision: 26.03.2025

KRISHAN SINGH

....PETITIONER

Versus

STATE OF PUNJAB

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Satinder Kaur, Advocate
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
114	12.07.2024	303 (2) of BNS, 2023 and 21 of Mines Act	Sidhwan Bet, District Ludhiana Rural.

2. Learned counsel for the petitioner submits that in compliance to the order dated 05.08.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 05.08.2024.

3. Learned State counsel, on instructions from ASI Rajinder Singh Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

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4. During the course of hearing on 05.08.2024, following order was passed:

“The FIR was lodged on the basis of secret information received on 12.7.2024 by the police to the effect that some unknown persons were indulging in illegal mining and had loaded sand from Satluj river in a tractor trolley. It is further the case of prosecution that pursuant to receipt of said information barricades were laid and a tractor trolley loaded with sand was seen, but driver of the tractor trolley managed to escape. The tractor trolley was taken into possession by the police. It is further the case of prosecution that upon inquiries it transpired that the tractor is registered in the name of petitioner-Krishan Singh.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and that although as per the FIR the occurrence had taken place at 8.20 pm, the police had however, taken away tractor trolley from the house of maternal uncle of the petitioner at about 7 pm. Learned counsel submits that the incident of taking away of the tractor by the police personnel is recorded in CCTV footage which is available with the petitioner.

Notice of motion for 19.11.2024

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C. ”

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5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 05.08.2024 passed by this Court, interim bail granted vide order dated 05.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

26.03.2025

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |