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

CRM-M No.8452 of 2015

Date of Decision: 27.03.2017

ANUJ CHHABRA

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

Mr. Shilesh Gupta, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.34 dated 11.04.2012 registered under Section 379 IPC and Section 21(1) of the Mining and Minerals Act, 1957 at Police Station Nangal, District Rupnagar as well as all the subsequent proceedings arising therefrom.

Learned counsel for the petitioner contended that number of FIRs were registered under Mines and Minerals Act, 1957 against different persons/crusher owners. After due investigation, cancellation reports were prepared and those were even recommended by the officers in hierarchy to some

extent. The cancellation report prepared in case of petitioner was recommended by Superintendent of Police (Detective), Rupnagar, but the same was not accepted by the Senior Superintendent of Police, Rupnagar and challan was presented in the Court.

Learned counsel further contended that similarly situated persons in different FIR namely Vivek Sharma and another approached this Court by way of filing **CRM-M No.5135 of 2015** and the same was allowed vide order dated 31.08.2015 and the FIR relating to those persons was quashed by this Court. Similarly one Ajit Singh also ventured to file **CRM-M No.26573 of 2014** and FIR *qua* him was also quashed by this Court vide order dated 08.12.2015.

Learned counsel for the petitioner submitted that the case of the petitioner is not distinguishable from aforesaid orders.

Learned State counsel on instructions from HC Madan Lal submitted that number of FIRs were registered against different persons under the Mines and Minerals Act, 1957 and those FIRs were separately recommended for cancellation and two of them were quashed in the manner as narrated above.

Case of the petitioner is covered by the ratio of orders

passed in **Vivek Sharma and another** and **Ajit Singh** (supra).

In view of above, FIR No.34 dated 11.04.2012 registered under Section 379 IPC and Section 21(1) of the Mining and Minerals Act, 1957 at Police Station Nangal, District Rupnagar as well as all the subsequent proceedings arising therefrom, are hereby quashed.

Petition stands disposed of.

March 27, 2017	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No