

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27204 of 2018
Date of Decision: 04.07.2018

Jabbar & anr.

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Manoj Pundir, Advocate, for the petitioner.

Mr. Sachin Mittal, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Mr. Sachin Mittal, Advocate, appears at his own and has filed power of attorney on behalf of the complainant in Court today. The same is taken on record. Office to tag the same at the appropriate place.

Prayer in the instant petition is for grant of anticipatory bail to petitioners Jabar and Akram in case FIR bearing No.63 dated 23.05.2018, registered under Sections 148, 149, 323 & 506 IPC and later on added offence under Section 325 IPC at Police Station Buria, District Yamuna Nagar.

According to the prosecution, the petitioners are the transporters of sand and stones and used to go via Shejadpur-Pansara road. The villagers of Sabapur village, which falls on the way, had some objection against plying of the vehicles of the petitioners and their other associates in the day time. Therefore, brotherhood Panchayat was convened between the villagers on one hand and the stone crusher owners on the other hand. It was settled that the vehicles of the petitioners and their associates would pass in the day time from 1.00 PM to 5.00 PM and in the night from 10.00

took place between the villagers of Sabapur and the petitioners/their associates. The petitioners along with 50-60 persons came on the spot in dumper and motorcycles, armed with deadly weapons and attacked upon the villagers. They also thrown stones and brick bats in the houses on the womenfolk and thereafter, ran away. The petitioners and their associates also tried to kill the villagers by running their dumper over them. They also threatened and abused the villagers while running away. Three villagers received injuries in this incident.

The petitioners and their associates also got registered counter FIR against the villagers. Therefore, it is debatable as to who was the aggressor. From overall facts and circumstances, it can be very well said that the petitioners are the member of sand mafia and are indulged in illegal mining of sand. They may be habitual offenders causing huge loss to the State exchequer every day. Therefore, the petitioners do not deserve any concession of anticipatory bail, more particularly, when their custodial interrogation is required to know as to how many persons are involved in such illegal mining activities.

Dismissed.

04.07.2018
monika

Whether speaking/reasoned
Whether Reportable

(RAMENDRA JAIN)
JUDGE

Yes/No
Yes/No