

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

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**CRM-M-38311-2018 (O&M)
Date of Decision : 15.10.2018**

Mukhtiar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE P.B.BAJANTHRI

Present: Mr.Vikasdeep Singh, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

P.B. BAJANTHRI, J.(ORAL)

In the present petition, petitioner seeks anticipatory bail under the provision of Section 438 Cr.P.C. in FIR No.42 dated 16.07.2018 under Sections 379 IPC read with Section 21(2) of Mines and Minerals (Development and Regulation) Act, 1957 registered at Police Station Dhilwan, District Kapurthala.

2. Learned counsel for the petitioner submitted that petitioner is not involved in any other case. Moreover, nothing is required to recover from the petitioner. Therefore, he is entitled for anticipatory bail.

3. On 08.10.2018 learned State counsel was directed to verify who is owner of tractor, trolley and JCB which were stated to be without number plate in the alleged recovery of the said vehicle arising out of illegal sand mining. Today learned state counsel on instructions of ASI Balwinder Singh submitted that tractor and trolley stands in the name of petitioner whereas JCB stands in the name of petitioner's son namely Sukhdev Singh. Learned State counsel further submitted that as the recovered vehicle belongs to the

petitioner, therefore, petitioner is involved in crime. He further submitted that certain facts are yet to be verified from the petitioner. So, he is not entitled for anticipatory bail.

4. Having regard to these facts and circumstances, petitioner is not entitled to anticipatory bail. Accordingly, petition stands dismissed.

15.10.2018
pooja saini

(P.B. BAJANTHRI)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>