

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

CRM-M No. 7380 of 2019

Date of decision : February 26, 2019

Sukhraj Singh @ Baba

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ritesh Pandey, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No.05, dated 2.2.2019, registered under Section 379 of the IPC and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, at Police Station Ghuman, District Batala.

Allegations are that the police party received a secret information that the petitioner along with co-accused was indulged in digging sand from the bank of Beas river. Raid was conducted and one trolley, spade and belcha were recovered from the spot.

Counsel for the petitioner has argued that the petitioner was not arrested from the spot nor has it been proved that the trolley belonged to him.

Learned DAG Punjab, on instructions from ASI Gurmukh Singh, has not disputed these facts.

In these circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, this petition is allowed and it is directed that in the event of his arrest, the petitioner shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

February 26, 2019
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No