

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

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**CRM-M-43579-2019(O&M)
Date of Order: 15.10.2019**

SONU @ SURENDER NAGAR

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Varun Baanth, Advocate, for the petitioner.

ANIL KSHETARPAL, J.

Petitioner prays for grant of pre-arrest bail in FIR No.229, dated 10.09.2019, registered under Sections 279/336/379/188/186/353/307/120-B of the Indian Penal Code, at Police Station Tigaon, District Faridabad.

As per the case of the prosecution, police officials received secret information of illegal mining and theft of minerals from bed of river Yamuna and to catch hold, barrier was laid. Two dumpers loaded with the sand and minerals along with 2 cars were seen coming and on being given signal to stop, they tried to run over the police officials who had to save themselves by jumping here and there. On being followed, one truck hit with an electric pole supporting 11000 volt line. The accused tried to dump the sand by emptying the truck but seeing the police ran away from the spot. The other truck was driven by Narender, whereas Santro Car which was driven by the petitioner-Sonu ran away taking advantage of darkness. However, driver of other motor vehicle i.e. Maruti 800 left his vehicle and ran away.

This Court has heard learned counsel for the petitioner at length.

Allegations against the petitioner are serious in nature. Petitioner is undoubtedly owner of the Santro Car which was used for escorting the transport vehicles used for transporting the illegally mined sand. Learned counsel for the petitioner has relied upon 2 orders passed by a Coordinate Bench i.e. CRM-M-25791-2018 and CRM-M-34730-2018. Both orders are arising from different criminal cases. Hence, such orders cannot be blindly followed. The petitions for grant or refuse of bail are decided on the facts of each case. This Court has already dismissed the petition i.e. CRM-M-42688-2019 filed by the driver of the Maruti Car-Rajesh.

Hence, no ground to grant the concession of pre-arrest bail is made out.

Dismissed.

October 15, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No