

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

**CRM-M-7774-2020
Date of decision: 26.02.2020**

Bir Bhan**...Petitioner**

Versus

State of Haryana**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Kuldeep Singh, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 0431 dated 29.11.2019, under Section 21(4)(A) of Mines and Minerals (Regulation of Development) Act, 1957 and Sections 188 and 379 of the IPC, registered at Police Station Naraingarh, District Ambala.

Learned counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance of Sunil Kumar, Mining Officer, Mines and Earth Sciences Department, Ambala, it is stated that on 28.11.2019, an investigation was done in the village of Dera by the mining officer and it was found that illegal mining of about 8 to 10 ft. deep of *gravet* has been done. On verification, it was further found that the petitioner has taken the land on lease which is upto the year 2026 and doing the illegal work of mining.

Learned counsel for the petitioner further submits that the petitioner is leasee since 2010 and the allegations pertains to the year 2019 that he has been doing the illegal mining.

Learned State counsel, on instructions from ASI Dharam Pal, submits that during spot inspection, it was found that the work of illegal mining was going on and the custody of the petitioner is required to effect the recovery of JCB machine etc.

After hearing learned counsel for the parties, I do not find any ground to grant concession of anticipatory bail to the petitioner considering the serious allegations against him and also in view of the fact that recovery of JCB Machine etc. is yet to be effected, for which the custody of the petitioner is required.

26.02.2020*Waseem Ansari***(ARVIND SINGH SANGWAN)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*