

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

**CRM-M-26523-2020
Date of Decision: 14.09.2020**

SARABJIT SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Balbir Singh Jaswal, Advocate for the petitioner
Ms.Monika Jalota, DAG Punjab

Deepak Sibal, J. (Oral)

Case taken up through Video Conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.61 dated 08.08.2020 under Section 21(1) of Mines and Minerals Act, 1957 and Section 379 IPC registered at Police Station Dhilwan, District Kapurthala.

Learned counsel for the petitioner submitted that no offence has been committed by the petitioner and that he has been falsely implicated in the present case at the behest of his driver.

Learned State counsel submits that on being caught red handed the driver of the petitioner has stated that he was acting only on behalf of the petitioner; the tractor trolley from which the illegally mined sand was recovered is registered in the name of the petitioner and that the

petitioner committed this crime while on bail in another case of similar nature.

It is the admitted position that the petitioner is involved in another case of similar nature vide FIR No.68 dated 08.05.2018 registered at Police Station Beas and while on bail in that case he is alleged to have again committed a similar offence. He has thus misused the concession of bail granted to him in the earlier case.

For the above reason and because illegal sand mining needs to be curbed with a heavy hand as also because in the present case the petitioner is alleged to have illegally mined over 20 metric tons of sand without any permit etc., the petitioner does not deserve the concession of anticipatory bail.

Dismissed.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

14.09.2020
gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No