

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

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**CRM-M-34210-2020(O&M)
Date of Order:28.10.2020**

AKSHDEEP SINGH

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Abhishek Jindal, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

ANIL KSHETARPAL, J(Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for grant of pre-arrest bail in a criminal case arising out from FIR No.84, dated 06.08.2020, registered under Section 21(4) of the Mines & Minerals(Regulation of Development) Act, 1857, Section 188/379 IPC, at Police Station Raipur Rani.

On the complaint of officials from the Mining Department, alleging illegal mining of gravel and sand by the petitioner, the FIR in question was registered. It is alleged that the petitioner is the sole proprietor of M.S. Screening Plant and he has illegally excavated gravel and sand from an area measuring 50feetx50 feet with depth of 6-7 feet.

Learned counsel for the petitioner contends that there is no independent witness to prove the case against the petitioner. He further contends that there is a delay of 10 days in registration of the FIR. He also contends that no recovery is to be made from the petitioner.

Sh. Chetan Sharma, Assistant Advocate General, Haryana, has contended that the petitioner is the sole proprietor of the screening plant and the gravel and sand has been illegally mined from the place which is located behind the screening plant of the petitioner. He further contends that the mining officials, after conducting, an inquiry on their own level have lodged the FIR.

This court has considered the submissions, however finds no ground to grant pre-arrest bail to the petitioner, particularly, when a huge pit had been dug to illegally excavate sand and gravel. It is not disputed that the petitioner is running a crushing plant in the adjoining area.

In view thereof, there is no ground to grant pre-arrest bail to the petitioner.

Hence, dismissed.

October 28, 2020
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No