

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-35411 of 2020 (O&M)
Date of decision : November 03, 2020

Bikramjit Singh alias Teli

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Balbir Singh Jaswal, Advocate, for the petitioner
Mr. Jagmohan Ghuman, DAG Punjab

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Bikramjit Singh alias Teli has come up in this first anticipatory bail in case FIR No. 68 dated 18.5.2018 under Sections 307, 379, 353, 186, 225, 506, 279, 148, 149 IPC and Section 21(1) of Mines and Minerals Act, 1957, Police Station Beas, District Amritsar.

The present case was got registered on the basis of the

secret information that the accused in all numbering five besides 3/4 other unknown persons were carrying on illegal trade in sand mining. It is on the basis of this information, the police conducted raid at the disclosed place on 18.5.2020 and at that time accosted a tractor trolley loaded with sand coming and was signalled to stop. The driver of the tractor trolley tried to run the vehicle over the police but they had a miraculous escape . The persons thereon namely co-accused non-applicant Bikramjit Singh @ Bikker, Jatinder Singh @ Bhito and Harjinder Singh @ Jinder were apprehended along with the vehicle.

Learned counsel for the petitioner inter-alia contends that it is a non-injury case which has been given a twist by addition of offence under section 307 IPC and similarly placed co-accused Sarabjit Singh @ Sabu has been allowed anticipatory bail by this Court vide orders dated 28.5.2020.

The learned State counsel though has not displaced the facts but has strongly opposed the bail on the grounds that custodial interrogation of the petitioner is essential for comprehensive investigations.

Keeping in view that it is a non-injury case and that the allegations hover around illegal sand mining in the area. The

similarly placed co-accused Sarabjit Singh @ Sabu and Gurpreet Singh alias Gopi have already been allowed anticipatory bail by this Court. Since nothing is to be recovered at this juncture and in view of the principle of parity, the petitioner is also entitled to the relief of anticipatory bail.

In view of the aforesaid, the present petition is allowed. In the event of arrest, the petitioner shall be released on bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, on presentation of challan, the petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court. Presently, the petitioner is directed to join investigation within 15 days of the receipt of the copy of order.

The present petition stands disposed of.

November 03, 2020

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No