

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

**Sr.No.208**

**CRM-M No.33770 of 2021  
Date of Decision: 25.10.2021**

Vahid

...Petitioner

Versus

State of Haryana

...Respondent

***(Heard through Video-Conferencing)***

**CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Sanyam Khetarpal, Advocate and  
Mr. Mohit Sadana, Advocate,  
for the petitioner.

Mr. Vishal Kashyap, Deputy Advocate General, Haryana  
for the respondent-State.

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**MEENAKSHI I. MEHTA, J.**

Apprehending his arrest in the criminal case arising out of the FIR bearing No.192 dated 17.06.2021 registered at Police Station Ateli, District Narnaul, under Sections 188, 379 IPC and Sections 21(1), 4(1), 4(1)(A) of the Mines and Minerals (Regulation of Development) Act, 1957, (wherein the offences under Sections 120-B, 420, 467, 468, 471 IPC and Section 3 of the P.D.P. Act are stated to have been added later-on), the petitioner has moved the instant petition for seeking the relief of anticipatory bail.

Shorn and short of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioner was the driver of the vehicle bearing registration No.HR-38Z-8752, which was seized by the

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Flying Squad of the Mining Department and on being weighed, the same was found to be loaded with 78.155 Metric tonnes 'Gravel', i.e. 23 Metric tonnes in excess of the permissible quantity of 54.900 Metric tonnes and by then, the time limit, as mentioned in E-Ravana slip, had also expired.

Status-report, filed on behalf of the respondent-State by way of the affidavit of the Deputy Superintendent of Police, Kanina, District Mahendergarh, is already available on the file and the same is taken on the record.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the petitioner was employed as the driver for the above-said vehicle by its owner and he did not have any role to play in the alleged crime and therefore, he deserves the relief as prayed for in this petition.

Per contra, learned State counsel argues that the petitioner was transporting the 'Gravel' in the above-said vehicle despite knowing well that the permissible time limit for this purpose had already expired and the excess quantity of 'Gravel' was loaded in the vehicle and keeping in view the nature of the offence committed by him (petitioner), the present petition be dismissed.

As mentioned in Para 3 of the preliminary submissions in the status-report, the petitioner was the driver of the above-said vehicle at the time of its seizure by the Flying Squad of the Mining Department and the

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permissible time limit, as mentioned in E-Ravana slip, had already expired and moreover, 23 Metric tonnes 'Gravel' was allegedly found to be loaded in the said vehicle in excess of the afore-mentioned permissible quantity. Thus, it is explicit that the petitioner allegedly caused loss to the State Exchequer and harm to the environment/ecological system of the area.

Keeping in view the above-discussed facts and circumstances as well as the nature of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner) does not deserve the concession of anticipatory bail. Resultantly, the petition in hand stands dismissed.

(MEENAKSHI I. MEHTA)  
JUDGE

25.10.2021  
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| <i>Whether speaking/reasoned</i> | <i>Yes</i> |
| <i>Whether Reportable</i>        | <i>No</i>  |