

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

CRM-M-42030-2022 (O&M)  
Date of Decision:- 29.9.2022

Salamu

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Raghav Dayal Gupta and Mr. Raghuvinder Singh,  
Advocates for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

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**GURVINDER SINGH GILL, J.**

1. The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No. 66 dated 3.2.2022 under Sections 147, 149, 186, 341, 332, 353, 427, 506, 379 IPC and under Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 at Police Station Pinjore, District Panchkula.
2. The FIR was lodged at the instance of Mining Officer, Department of Mines and Minerals, Panchkula wherein it is alleged that on 3.2.2022 at about 9:30 in the morning, he alongwith Shri Atul Giyaniya (Mining Inspector) and Shri Abhimanyu and Shri Hira Singh (Mining Guards) conducted inspection of river *Ghaggar* at village *Burj Kotian*, pursuant to receipt of a complaint. It was noticed that two JCB machines were illegally extracting gravel from river and were loading the same in a tractor and Tipper behind Bathinda Stone Crusher. The persons present there, upon noticing the government

vehicle, started running. The Mining Officer's team followed the JCB machine but in the meantime a black coloured Mahindra Scorpio bearing registration No. HR-26U-0003 came in front of the government vehicle in which the complainant and others were travelling. It is alleged that 8-10 persons gathered there and hurled stones on the government vehicle on account of which the front window screen was shattered. The said persons were heard conversing amongst themselves and exhorting one Papla to kill the mining people. The Mining Guard also made a video while they were following the JCB machine.

3. The learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR and has been falsely implicated in the present case. It has further been submitted that since most of the offences excepting offences under Sections 332 and 379 IPC are bailable, the petitioner deserves to be released on anticipatory bail.
4. On the other hand, the learned State counsel has submitted that in the present case the black coloured Mahindra Scorpio vehicle which had obstructed the mining officials belongs to the petitioner and that it was at his instance that illegal mining was being undertaken and as such, having regard to the serious nature of offence, no special case for grant of anticipatory bail is made out.
5. This Court has considered rival submissions addressed before this Court.
6. Extracting minerals in an illegal manner plays havoc with environment which virtually is an offence against the entire man kind. No laxity is warranted in such like matters. Rather, such like offences need to be checked at the very first instance.

7. Having regard to the facts and circumstances of the case, this Court does not find any special case for grant of anticipatory bail.
8. The petition is sans merit and is hereby dismissed. However, in case the petitioner surrenders before the trial Court within 10 days from today and applies for grant of regular bail, the learned trial Court shall endeavour to dispose of the same expeditiously preferably within a period of one week from filing of such application.

**29.9.2022**

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**(Gurvinder Singh Gill)**  
**Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No