

Neutral Citation No. 2023:PHHC:073884
CRM-M-19958-2023
Date of Decision: May 22, 2023

Gurmeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Simranjeet Singh Sarwara, Advocate for the petitioner.
Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.(Oral)

On the last date of hearing, following order was passed:-

“By way of the present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.110 dated 22.08.2022 registered under Sections 4(1) and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 at Police Station Nurpur Bedi, District Rupnagar.

Allegations are that illegal mining was spotted to have been done by owner and operator of Shivalik Screening Unit at Village Algran, to the extent of 22750 cubic feet.

It is contended that co-accused Chranpreet Singh, who is the owner of the land has already been allowed. It is further contended that petitioner is not the owner of the land where the alleged mining was done. However, learned counsel for the petitioner is not able to reply as to whether petitioner is the owner of the crusher or not or whether he has anything to do with the crusher or not which was involved in the illegal mining. Learned counsel seeks time to file better particulars.

Notice of motion. Mr. P.S. Pandher, AAG, Punjab, accepts notice on behalf of the State and seeks time to file the status report. Adjourned to 22.05.2023.”

Counsel for the petitioner submits that as per the instructions given to him, petitioner has nothing to do with the crusher in question, but he is unable to file reply in writing because the petitioner is at large.

Learned State counsel has placed on record the status report in the form of affidavit of Shri Ajay Singh, Deputy Superintendent of Police, Sri Anandpur Sahib, District Rupnagar, as per which it was found during investigation that petitioner had obtained the Shivalik Screening Unit on rent and he along with Charanpreet Singh, were taking care of the said unit and both of them had carried out the illegal mining in the land adjoining to the Shivalik Screening Unit at village Ailgran.

Learned State counsel further pointed out that petitioner is involved in three other cases of the similar nature as per details provided in the status report.

Having regard to all the facts and circumstances, petitioner does not deserve to be given the benefit of anticipatory bail.

At this stage, counsel for the petitioner makes a statement, so as to withdraw the petition.

Dismissed as withdrawn, as prayed for.

May 22, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No