

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

CRM-M-53280-2023

Date of Decision:02.11.2023

Manjit Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Amrik Singh, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 119 dated 11.08.2023, under Sections 379,420 of IPC and Section 21(1), 4(1) of Mines and Mineral Regulation of Development Act, 1957 registered at Police Station Nangal, District Rupnagar, Annexure P-1.

2. The FIR in the present case was registered on the basis of the statement moved by the SDO, Department of Mines and Geology. The complainant had prayed for initiating action against Mahaveer Stone Crusher. In fact, on checking the records of Stone Crusher, suspicion had arose with regard to the forgery of CR slips and the Executive Engineer was directed to verify the same. After verification, the CR slips were found to be forged and fabricated and it was found that the accused had tampered with the official record and the illegal mining being carried out by them.

3. Learned counsel for the petitioner submits that the petitioner had taken the stone crusher on lease vide the lease agreement dated 01.08.2022 and the lease deed was executed between the parties for a period of two years. Learned counsel further submits that the petitioner was getting the raw material after making the payment to transporters/drivers, who were not his employees and the CR Slips were provided to him by them, who were transporting the material from the spot. In fact, all the CR

slips which were allegedly forged were handed over to him by the drivers of the truck. He further contends that the petitioner is in custody since 06.09.2023 and no recovery is to be effected from him. Learned counsel further submits that the co-accused Naresh Kumar and Brijesh Kumar, who were almost similarly placed co-accused have already been granted the concession of anticipatory bail by this Court.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail.

5. I have heard the learned counsel for the parties and with their able assistance, I have gone through the Court record carefully.

6. It is apparent that the petitioner was arrested in the present case on 06.09.2023 and the investigation is almost complete in the present case. The present case seems to be based on documentary evidence, which has already been into taken possession by the police. Thus, no purpose would be achieved by keeping the petitioner behind the bars.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

02.11.2023
hitesh

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