

2024:PHHC:079917



S. No.111

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

CRM-M-29836 of 2024

Date of Decision:13.06.2024

Nasim Khan

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Brijender Kaushik, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.0041 dated 26.03.2024 registered under Sections 147, 186, 332, 341, 353 & 379 read with Section 149 IPC and Sections 2(1) and 21(4) of Mines & Minerals (Regulations of Development) Act, at Police Station Shahzadpur, Ambala.

2. As per allegations, secret information was received against Shakaut Ali @ Shoki, to be indulging in the illegal mining. He was apprehended with a Trolley loaded with Bajri (minor material) and was directed to take the Trolley towards Sugar Mill, Shahzadpur, when a Swift Car bearing registration No.HR-02-J-4614 came and parked in front of the tractor-trolley. Except the driver of the car, the other boys got out of the car. They got the Bajri unloaded on the road, pushed both the Constables and freed the tractor-trolley and took it away.

3. It is contended by learned counsel that the petitioner has been falsely implicated; simply for the reasons that he is owner of the tractor-trolley and that he is ready to join the investigation.



- 4. Notice of motion.
- 5. Mr. Parveen Kumar Aggarwal, DAG, Haryana, accepts notice on behalf of the respondent- State.
- 6. Learned State Counsel informs that petitioner is the main accused, who had come in the car, got the Bajri unloaded on the road, pushed the Constables and fled away and that his custodial interrogation is required.
- 7. After hearing both the sides, this Court is not inclined to grant the benefit of anticipatory bail to the petitioner, as his custodial interrogation may be required.
- 8. Dismissed.

June 13, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No