

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-34637-2024
Decided on : 08.08.2024

BALWINDER SINGH ALIAS BILLU
Versus
... Petitioner(s)

STATE OF PUNJAB
... Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

PRESENT: Mr. Amandeep Sharma, Advocate
for the petitioner(s)

Mr. Vinay Kumar, DAG, Punjab.

KIRTI SINGH, J. (Oral)

The prayer in the present petition filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner, in case FIR No.69 dated 28.04.2024, under Sections 379 of IPC and Section 21(i) Mines and Minerals (Development and Regulation) Act, 1957, registered at Police Station Ajnala, District Amritsar.

2. Today, short reply dated 08.08.2024, by way of affidavit of Raj Kumar, P.P.S, Deputy Superintendent of Police, sub-division Ajnala, Amritsar (Rural), on behalf of the respondent-State, has been filed by learned State counsel, in Court today, which is taken on record.

3. Learned State counsel, in his opposing the relief of anticipatory bail to the petitioner, refers to paragraph Nos. 6 and 8 of the reply, which are reproduced below:

xxx xxx xxx xxx

“6. That as per the prosecution version, the petitioner was involved in illegal mining and stealing the sand and the evidence

available against the petitioner is statement of Harpinder Singh alias Hira, who had alleged he had taken away his tractor trolley for bringing sand to his house. Further evidence against the petitioner would be collected the investigating officer after the custodial interrogation of the petitioner after the arrest of the petitioner,

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8. That the petitioner is a habitual offender. He is found involved/ nominated as accused in three other cases besides the present case, which are detailed as under:-

- (1)

FIR No. 14 dated 03.02.2018 under sections 363, 366-A and 120-B IPC, Police Station Ajnala, Amritsar (Rural);
- (ii)

FIR No. 99 dated 26.06.2018 under section 354, 148 and 149 IPC, Police Station Ajnala, Amritsar (Rural); and
- (iii)

FIR No. 191 dated 08.09.2022 under section 21 Mining and Mineral Act, Police Station Ajnala, Amritsar (Rural).

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4. In view of the disclosures made in the hereinabove extracted paragraphs of the status report, this Court is of the view that the petitioner is not entitled to concession of anticipatory bail. Consequently, the instant petition is **dismissed**.

(KIRTI SINGH)

JUDGE

08.08.2024

Kavita Nain

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No