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

CRM-M-7814-2025

Date of decision: 11.03.2025

Supinder Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. J.S. Mehndiratta, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.08 dated 10.02.2024 (Annexure P-1) under Sections 21(1)/4(1) of Mines and Minerals (Regulation and Development) Act, 1957 registered at Police Station Nurpur Bedi, Rupnagar.

On 11.02.2025, the following order was passed:-

'Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.08 dated 10.02.2024 under Sections 21(1), 4(1) of Mines and Minerals (Regulation and Development) Act, 1957, registered at Police Station Nurpur Bedi, Rupnagar.

Learned counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated in the present case. The crusher in question was sold by the petitioner on 23.01.2024, which was duly registered at Sr. No.244, page No.173 of entry register of Notary Public. Further, there is no direct or indirect link of the petitioner with crusher in question. Moreover, the maximum sentence provided for the offences, under which the FIR (supra) is registered, is punishable upto 05 years.

Notice of motion for 11.03.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51, Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs.***



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State of Punjab, (1980) 2 SCC 565, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.'

Learned State counsel on instructions from SI Harmesh Kumar, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 11.02.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

11.03.2025

Neha

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