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

CRM-M-17201-2025

Date of Decision:07.04.2025

JANG BAHADUR

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Mr. Mahesh Rana, Advocate
for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S., with a prayer to grant regular bail to him in case FIR No.100 dated 17.07.2024, registered under Sections 4(1) & 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 (Section 303(2) added later on) Police Station Mullanpur, District SAS Nagar.

2. Learned counsel for the petitioner contends that the FIR was initially registered against the unknown persons and the name of the petitioner was dragged at a latter stage by the Police, with some ulterior motive. He further contends that the petitioner was arrested in the present case on



11.02.2025 and is in custody since then. It has been wrongly shown that the petitioner was owner of a Tipper, which was found at the spot during the raid on the alleged illegal mine. He further contends that investigation is almost complete. He further contends that 14 cases were ordered to be registered against the petitioner, however, the petitioner has been acquitted in 08 cases and only 06 cases have been pending.

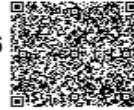
3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. No-doubt the petitioner is involved in 06 more cases, but he has been able to make out a case for grant of bail in the peculiar facts and circumstances of the present case. The investigation in the present case is almost complete and recoveries have been effected in the present case. Thus, further custody of the petitioner may not serve any useful purpose.

6. 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 subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.



(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

07.04.2025
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(N.S. SHEKHAWAT)
JUDGE

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