



250

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

CRM-M-24497-2025

Date of decision :20.08.2025

Satnam Singh**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Arjun Veer Sharma, Advocate
for the petitioner.

Ms. Simran Gorla, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed for grant of regular bail to the petitioner in case FIR No.15 dated 16.01.2025, under Sections 303(2) of BNS and Section 21 of Mines and Minerals (Development and Regulation) Act, 1957, registered at Police Station Sidhwan Bet, District Ludhiana.

2. Succinctly the facts of the case are that on 16.01.2025, the police party while on patrolling, received a secret information to the effect that Satnam Singh S/o Mohinder Singh was indulged in carrying out illegal mining and it was informed that he would be coming on his tractor along with trolley loaded with prohibited sand from Satluj river and if the barricading is laid, he could be apprehended along with the tractor and loaded trolley full of prohibited sand. On receiving the information, the raiding party was constituted and nakka was laid at the disclosed place. The tractor and loaded trolley as informed was seen coming and the same was stopped. The driver of the tractor, on asking disclosed his name to be



Satnam Singh. He failed to produce any document showing the trolley full of sand could have been obtained with due process of law. Thus, he was arrested on the spot. On registration of FIR, investigation commenced. On completion of the investigation, challan was presented. The petitioner approached the learned Additional Sessions Judge, Ludhiana for grant of bail, however, after hearing both the sides, the same was declined by the trial Court vide order dated 28.04.2025. Aggrieved by the same, the petitioner earlier approached this Court by way of filing CRM-M-7644-2025, however, the same was dismissed as withdrawn vide order dated 07.03.2025. Hence, the petitioner is before this Court by way of filing the present second petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely and frivolously implicated in the present case. He submits that the petitioner is behind bars since 16.01.2025 but there is no material progress in the trial. To buttress his arguments, he has submitted that the FIR in itself for the alleged offence under the Mines and Minerals (Development and Regulation) Act (for short, 'the Act') is not even made out as the same has been lodged by the Police. He submits that as per the provisions of the Act, the same can only be lodged by the authorities under the Mines and Minerals (Development and Regulation) Act. He submits that though the petitioner is involved in other cases, however, he is on bail in those cases. He thus, submits that in the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by the counsel for the petitioner. She, on instructions, has submitted that the petitioner is a habitual offender as he is facing prosecution in 04 other cases. She submits that challan has been presented



and charges have been framed, however, out of total 08 prosecution witnesses, none has been examined so far. She has produced the custody certificate of the petitioner on record.

5. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 16.01.2025. As submitted, out of total 08 prosecution witnesses, none has been examined so far. As per custody certificate, the petitioner has suffered an incarceration of 07 months and 03 days as on 19.08.2025. The contentions raised by learned counsel for the petitioner regarding maintainability of the FIR, would be assessed by the trial Court on the appreciation of evidence to be led by both the parties before the trial Court.

6. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned Court/Duty Magistrate.

20.08.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE

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