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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH
107
CRM-M No.43271 of 2025
Date of decision: 08.08.2025

Baldev Singh ... Petitioner
Vs.
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. S.P.S. Khaira, Advocate,
for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
19	19.03.2024	Koom Kalan, District Police Commissionerate Ludhiana	379 of IPC and 21 of Mines and Minerals (Development and Regulation) Act, 1957

2. As per the allegations, the complainant who is a Mining Inspector lodged a complaint alleging that on 18.03.2024, on receipt of a complaint regarding illegal mining having taken place in Village Goddowal, he along with police officials had reached at the spot and found that as per GPS coordinates, illegal mining in the area of 39137 sq.

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feet of land was done and sand had been stolen from a particular piece of land. On conducting inquiry, it was revealed that the said land was owned by the petitioner. He was nominated as an accused. Apprehending his arrest, he moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Ludhiana vide order dated 18.06.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is ready to join the investigation. His custodial interrogation is not required. There is nothing on record to show that there was any illegal mining on the land owned by him. No soil was proved to have been removed from agricultural land owned by him. It is, therefore, urged that he deserves to be extended benefit of bail.

4. Notice of motion.

5. Ms. Ramta Chowdhary, DAG, Punjab has advance notice of the petition and is ready to argue the matter. It is submitted by her that there are serious allegations against the petitioner. His custodial interrogation is required for recovery of mined minerals/sand from the petitioner as well as for thorough investigation. No exceptional circumstance for grant of pre arrest bail has been made out in favour of the petitioner. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

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7. The petitioner is alleged to have done illegal mining of sand by digging earth from the land owned by him. There are specific allegations against him. The case is at its nascent stage. For conducting thorough investigation in the matter, custodial interrogation of petitioner is required. Even otherwise, no exceptional or extraordinary circumstance for grant of pre arrest bail is made out in his favour. As such, this Court finds no reason to allow the petition. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

08.08.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No