



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M No.61992 of 2024
Date of decision: 04.02.2025

JASVIR SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

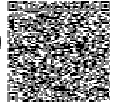
Present : Mr. Arjunveer Sharma, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.132 dated 11.11.2024 registered under Section 21 of the Mines and Minerals (Regulation of Development) Act, 1957 and Section 303(2) of Bharatiya Nyaya Sanhita, 2023 (for short-'BNS'), at Police Station Koom Kalan, District Police Commissionerate.
2. Vide order dated 11.12.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 11.12.2024, passed by this Court, reads as under:

“The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short-'BNSS') by the petitioner for grant of anticipatory bail in case arising out of FIR No.132 dated 11.11.2024 registered under Section 21 of the Mines and Minerals (Regulation of Development) Act, 1957 and Section 303(2) of Bharatiya Nyaya Sanhita, 2023 (for short-



'BNS'), at Police Station Koom Kalan, District Police Commissionerate.

As per the allegations, on the intervening night of 10/11.11.2024, on receipt of a secret information to the effect that work of illegal mining of sand was taking place in the area of cracker factory, Village Panjeta at Macchiwara Kohara Road and three tippers and one Tata Hitachi Poclain machine was at the spot for this purpose, rukka was sent to the police station for registration of the FIR. The same had been registered. A raiding party had reached at the informed place and apprehended the accused-Amarjit Singh who was driver of tipper vehicle bearing No.PB-10DK-4299. On interrogation, he disclosed that the said vehicle and Poclain machine was owned by the present petitioner and further that they had done mining and lifting of sand in the tipper vehicles. Investigation proceedings are underway. Apprehending his arrest, the petitioner had moved an application for grant of pre-arrest bail which had been dismissed by the Court of learned Additional Sessions Judge, Ludhiana vide order dated 30.11.2024.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case only because of his being the registered owner of the Poclain machine and the tipper vehicle though, he used to give these vehicles on rental basis for doing mining work by different persons who used to do the mining work by taking proper permission. He has never



indulged in any illegal activity. In fact, the tipper vehicle and Poclain machine were lying idle at the site at the relevant time. His custodial interrogation is not required. No recovery is to be effected from him. He is ready to join the investigation. Therefore, it is urged that he deserves to be extended benefit of pre-arrest bail.

Notice of motion.

Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.

Adjourned to 04.02.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.”

3. Status report dated 03.12.2025 filed on behalf of respondent-State is taken on record.
4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 13.12.2024. She further submitted that the custodial interrogation of the petitioner is required to know the details of the illegal mining mafia who is involved in illegal mining and has caused financial loss.



5. Keeping in view the allegations as levelled in the FIR and circumstances as explained in the petition, custodial interrogation of the petitioner is not required. Accordingly, the present petition is allowed and the order dated 11.12.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

04.02.2025
Jyoti-IV

(MANISHA BATRA)
JUDGE

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