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

CRM-M-14083-2026**Date of Decision: 19.03.2026****Date of Uploading: 19.03.2026**

Sanjeev Singh

.....Petitioner.

Versus

State of Punjab

.....Respondent.

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Baljinder Singh Sra, Addl. A.G, Punjab.

SUMEET GOEL, J.(Oral)

Present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.158 dated 27.12.2025, registered for the offences punishable under Sections 21(1) and 4(1) of the Mines and Minerals Act, at Police Station Nurpurbedi, District Rupnagar.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

"To, Chowki Incharge Kalma, Subject:- it is written to you with Regard to the above subject regarding illegal mining that on 27.12.2025. I was conducting a night checking along with the Executive Engineer. During the check, at around 2:30 pm, the sound of machinery was heard in the Swan river near village Sawahra. When I went to the spot and looked, illegal mining activity was found. On the spot, someone was

extracting material from the Swan river with a Poclaine machine and loading in tippers. It was located at Latitude 31.2477506 and Longitude 70.3965925. Seeing the mining team coming, the operator/driver fled from the spot, leaving behind 2 Poclaine machines and 3 tippers. It is also worth mentioning here that one of the 3 tippers was found to be filled with material and was seized on the spot. The detail of 01 Poclaine and 03 tippers is as under 1 Poclaine make XCMG model XC2151-KLC Pin XUGA215BAPKA00344 Colour Yellow 2 Tipper TATA PS518YY315305 Colour White 3 Tipper Ashok Leyland JK02DN4848 colour yellow, 4 Tipper Ashok Leyland. The Appropriate legal action should be taken against the above machinery/tipper owners under section 21(1)4(1) of MMDR 1957 and the action taken should be informed to the email id of this office miningdivisionaps@gmail.com. SD/-Yograj JE cum Mining inspector Nurpurbedi Mob-7014275858.”

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 09.02.2026. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated into the FIR in question. Learned counsel has further submitted that assuming *arguendo*, the prosecution version is taken to be correct, the recovery effected from the petitioner is of two tippers. Learned counsel has submitted that culmination of investigation as also trial emanating therefrom, in case occasion so arises, will take long time. Learned counsel has further submitted that the petitioner is the sole bread-earner of his family and is a man of clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, he does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 18.03.2026 in the Court, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 09.02.2026. The FIR in question is still under investigation. The culmination of investigation as also trial emanating therefrom will indubitably take long time. The rival contentions raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 18.03.2026 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of about 01 month and 08 days and he is not involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned trial Court/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned trial Court/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or

documentary, during the trial.

- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned trial Court/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

March 19, 2026
Yag Dutt

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No