

CRM-M-16779-2026

2026:PHHC:055583



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

(211)

**CRM-M-16779-2026 (O & M)  
Date of Decision:-09.04.2026**

Sabbir @ Mittar

.....Petitioner

Vs.

State of Haryana

.....Respondent

**CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Saurav Bhatia, Advocate,  
for the Petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

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**JASJIT SINGH BEDI, J.(ORAL)**

The prayer in the present petition under Section 483 BNSS, (erstwhile Section 439 Cr.P.C.) is for the grant of regular bail in case FIR No.309 dated 19.07.2022 under Sections 307, 302, 333, 353, 186, 120-B, 379, 188, 506, 212 IPC (now Sections 109, 103(1), 121(2), 132, 221, 61(2), 303(2), 223, 351(2)/(3), 249 of BNS, 2023) Section 21(4) of Mines and Minerals Development and Regulation Act, 1957 and Section 3(2) of PDPP Act and Section 25-54-59 of the Arms Act, registered at Police Station Sadar Tauru, District Mewat (Nuh).

2. The present FIR came to be registered at the instance of ASI Sanjay Kumar and reads as under:-

*"To the SHO of Police Station Sadar Tauru. Sir, it is prayed*



::2::

*that Today, Shri Surender Singh HPS/DSP Tauru and I ASI Sanjay Kumar no. 5/Nuh, bodyguard EHC Umesh Kumar no. 834/Nuh and driver CT Amit 397/Nuh in government Bolero bearing registration no. HR27GV-6157 reached in Pachgaon mountain through unearth way from police station Sadar Tauru with regard of stopping illegal mining. In the meantime, 6 tyres dumper loaded with illegal stones was seen coming from mountain side. As per the order of DSP, the driver of government vehicle started to follow that dumper having no number plate. The dumper driver and 3/4 young boys sitting in that dumper took their dumper on the mountain and after reaching in mountain, the driver stopped his dumper and thereafter, dumper was started to unloaded and our vehicle also got stopped. DSP and all of us came out of the cars and nabbed the driver and other young boys and we saw that the bearing registration no. HR74A was mentioned in front number plate and remaining numbers were not there. We started to asked them for alighting from dumper, then driver whose name is Mittar and conductor whose name was Ikkar with connivance with each other gave warning by showing the country made pistols to run away from the spot, otherwise we would be shotted. We started to move backside for saving ourselves and in the meantime, the persons sitting inside vehicle stated that if they be nabbed, then they would have to face the challan for mining activities and they would be taught a lesson for these police officers for stopping the dumper and in the meantime, the dumper driver whose name is Mittar accelerated the speed of dumper and had tried to run over the same over us. I, constable Amit and bodyguard Umesh Kumar had somehow managed to save us by jumping. However, DSP had also tried to save himself, but the driver of dumper had drove his vehicle over DSP and killed him. the dumper driver and his 3/4 friends by unloading the stone ran away from the spot and the strict legal*



::3::

*action against the dumper driver and 3/4 persons sitting in that dumper may kindly be taken. The time of this incident is 11:50 am. SD Sanjay Kumar ASI R/DSP Tauru, Dated 19.07.2022 police proceeding".*

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The ocular version is not in consonance with the medical evidence as there is no crush injury as mentioned in the FIR. The Trial Court has framed charges without a proper examination of the report under Section 173 Cr.P.C. (193 BNSS, 2023). The confessional statement of the petitioner has no evidentiary value. Multiple co-accused of the petitioner have been granted the concession of bail. As the petitioner is in custody since 20.07.2022 but only 12 out of the 49 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, contends that the petitioner is the main accused duly named in the FIR. As per the prosecution case, he drove the dumper at a high speed and ran over a DSP of the Haryana Police at the time when the police party was attempting to stop illegal mining. In fact, the petitioner is the prime accused and the allegation against him are grave. The case of the co-accused who have been granted bail are entirely on a different footing as they have been named in the disclosure statements of the petitioners and others. His earlier application for bail was withdrawn as recently as on 13.11.2025. No change in circumstances whatsoever have been pointed out for the filing of the instant



::4::

petition. As 12 of the 49 prosecution witnesses have been examined so far, the Trial is progressing at a steady pace. Therefore, the present petition is liable to be dismissed.

5. I have heard the learned counsel for the parties.
6. As per the case of the prosecution, the petitioner is the prime accused being the dumper driver who ran over DSP Surender Singh at the time when the police party was attempting to stop illegal mining and the petitioner alongwith his co-accused was indulging in the same. The allegations are indeed grave. The case of the co-accused who have been granted bail are on a different footing as they have been named in the disclosure statement of the petitioner and others. The earlier bail application of the petitioner was withdrawn as recently as on 13.11.2025 and no change in circumstances whatsoever have been pointed out entitling the petitioner to the concession as prayed for. Further, 12 of the 49 prosecution witnesses stand examined and therefore, the Trial is proceeding at a steady pace.
7. In view of the above discussion, I find no merit in the present petition and the same stands dismissed.
8. The pending application(s), if any, stands disposed of accordingly.

( JASJIT SINGH BEDI )  
JUDGE

April 09, 2026  
sukhpreet

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |