



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

CRM-M-13702-2026

Date of Decision:11.05.2026

Sunil Saharan @ Sunil Kumar and Ors.

...Petitioners

Vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Chetan Mittal, Sr. Advocate with
Mr. Mayank Aggarwal, Advocate
for the petitioners.

Mr.Amit Rana, Sr. DAG, Punjab.

Mr. Sahil Parmar, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to them in case FIR No.32, dated 15.02.2026, registered under Sections 126(2), 118(1), 115(2), 191(3), 190, 324(2), of B.N.S, Section 118(2) of B.N.S enhanced vide DDR No.6 dated 24.02.2026 registered at Police Station City Fazilka, District Fazilka.

2. At the very outset, learned counsel for the petitioner No.1 namely Sunil Saharan @ Sunil Kumar submits he may be withdraw the present petition qua petitioner No.1 with liberty to surrender before the Area Magistrate within a period of ten days from today.

3. I find the prayer to be fair and genuine.

4. The petitioner No.1 is permitted to surrender before the Area Magistrate within a period of ten days from today and in case, any bail

application is filed by him, the same shall be decided expeditiously, preferably within a period of five days.

5. While issuing notice of motion on 25.03.2026, this Court had noticed the following contentions:-

While mentioning the factual backdrop of the case, learned senior counsel for petitioners contends that petitioners have been falsely implicated in the present case by complainant, who owes his allegiance to the ruling political party in Punjab and was aggrieved of complaints lodged by petitioners, who had brought the fact of illegal mining being carried out (opposite Prem Nursery, right next to the house of Deputy Commissioner), Fazilka. At the instance of petitioner No.1, FIR No. 30 was registered on 1.2.2026, under Sections 4, 21 of Minerals Act, at Police Station Sadar Fazilka, District Fazilka against unknown persons.

Few days thereafter, Shri Surinder Singh @ Ghoga (complainant of FIR No.32 dated 15.2.2026) claimed that the heap of the sand is owned by him and started illegally loading the same in the trolley. Despite repeated requests made by the petitioners to stop this illegal activity, no heed was paid by the local police. At about 9 PM on 14.2.2026, when petitioners came to know that the sand is still being illegally loaded in the trucks/trolleys etc., they started recording these activities and prepared a 'video'. Somehow, Surinder Singh (c) got a whiff of it and on his complaint, proceedings u/s 107/151 Cr.P.C. were carried out against petitioners, who were arrested and subsequently released on bail. In the said proceedings, police authorities had themselves recorded that there had been verbal altercation and exchange of hot words between the two parties and apprehending breach of peace, petitioners (respondents therein) were arrested, who as pointed above, were released. Shockingly enough, with regard to the same incident, present FIR was got registered levelling absolutely baseless allegations.

Submission of learned counsel is that true 'genesis' of incident has been suppressed, as is apparent from the documents on record. Sequence of events did not unfold in the manner as portrayed by complainant. Facts have been twisted and a coloured version has been portrayed in the FIR in question. Special reference has been made to copy of FIR appended at page 55 of the petition, a perusal of which, as per learned counsel goes to show that though the alleged incident occurred at 21:30 hours on 14.02.2026, but the police authorities were intimated of the same at about 17:12 hours on 15.02.2026, i.e. after a delay of about 20 hours. It is in this backdrop that the learned counsel prays that the FIR in question has been lodged against petitioners only to arm twist them and to make sure that they do not file any complaints against complainant or take up the cause of illegal mining in the District. Towards the end, learned counsel contends that custodial interrogation of petitioners is not needed, nonetheless, being law abiding citizens, they are willing to join the investigation as and when called for by the IO.

6. Learned counsel for the petitioners has reiterated the above submissions and submitted that in compliance of the order dated 25.03.2026, passed by this Court, the petitioners No.2 and 3 have joined the investigation.

7. Learned State counsel also submits that the petitioners No.2 and 3 have joined the investigation and they are no longer required for further investigation. However, learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioners.

8. In view of the above statement made by learned counsel for the parties, the interim order dated 25.03.2026 is made absolute. The petitioners No.2 and 3 shall continue to join the investigation, as and when called by the

Investigating Officer. The petitioners No.2 and 3 shall also abide by the conditions as specified under Section 482 (2) of B.N.S.S.

11.05.2026
hitesh

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

(N.S.SHEKHAWAT)
JUDGE