

**In the court of Dr. Gopal Arora, Addl. Sessions Judge,
Hoshiarpur, UID No. PB0194**

CIS No. BA/1265/2021
CNR No. PBH001003536-2021
Date of order: 11.06.2021

Gurminder Singh aged 26 years son of Sukhwinder Singh, resident of village Sahni, PS Rawalpindi, District Kapurthala.

Accused-applicant

Versus

State of Punjab

-- Respondent.

FIR No. 89 dated 7.6.2021
U/s 21(1) of Mines & Minerals (Development and
Regulation) Act, 1957.
P.S. Mehtiana, Hoshiarpur

(First application for regular bail U/s 439 CrPC)

Present: Sh. Pardeep Guleria advocate, counsel for applicant-accused.
Sh. Rajinder Singh, Addl. PP for the State.

ORDER:

This order of mine shall dispose of an application filed by applicant/accused for grant of regular bail in FIR No.89 dated 7.6.2021, under Section 21(1) of Mines & Minerals (Development and Regulation) Act, 1957, pertaining to Police Station Mehtiana Distt. Hoshiarpur.

2. As per case of prosecution, on 7.6.2021 ASI Onkar Singh alongwith other police officials was on patrolling duty and were were at adda Phuglana. In the meantime one tractor-trolley loaded with sand came from the side of village Phuglana, which was stopped and on asking driver of tractor-trolley disclosed his name as Gurminder Singh son of

Sukhwinder Singh. On inquiry accused could not produce any permit or license regarding illegal mining.

3. The learned counsel for the applicant-accused has submitted that the applicant has been falsely implicated in the present case. He is in custody since 7.6.2021 and nothing is to be recovered from him. It will take long time for the challan to be presented and trial to be completed. So it was prayed that accused be released on bail.

4. On the other hand, learned Addl. PP for the State opposed the bail application on the ground that applicant-accused was found indulging in mining the sand without having any permit or license, hence he has committed serious offence. If he is ordered to be enlarged on bail, there is likelihood of repeating of the offence. So it is prayed that application be dismissed.

5. Record perused. Arguments heard.

6. This court is of the considered opinion that the alleged recovery has already been effected. The accused is in custody since 7.6.2021. It will take long time for the investigation to be completed and challan to be presented. Keeping in view the seriousness of offence, no useful purpose would be served by keeping the accused behind the bars for indefinite period. Moreover, Hoshiarpur is said to be red zone for the purpose of Covid-19. As such the present application is allowed and the applicant-accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs. 50,000/- with one surety of the like amount, to the satisfaction of learned Illaqa/Duty Magistrate subject to the conditions that

he will appear in the court on each and every date of hearing, he shall not induce or threat the prosecution witnesses and shall not leave the country without prior permission of the court. File be consigned to record room.

Announced in open Court:
Dated: 11.06 2021.

Kulvinder Singh JW
(Direct dictation)

(Dr. Gopal Arora),
Additional Sessions Judge,
Hoshiarpur (UID No.PB-0194).

Gurminder Singh Vs. State

Present: Sh. Pardeep Guleria advocate, for applicant-accused.
Sh. Rajinder Singh, Addl. PP for the State.

Bail application is entrusted to self. It be registered. Heard.

Vide my separate detailed order of even date, the regular bail application filed by applicant/accused has been allowed, as stated therein. File be consigned to record room.

Announced in open Court:
Dated: 11.06.2021.

Kulvinder Singh JW

(Dr. Gopal Arora),
Additional Sessions Judge,
Hoshiarpur (UID No.PB-0194).