

**In the court of Sh. Vishesh,
Additional Sessions Judge, Fazilka.
(UID No. PB-0228)**

	B.A. No. 1903/2022 CNR No. PBFZC0-004458-2022 Date of Order :- 12.09.2022
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Prem Singh, aged about 67 years, son of Banta Singh, resident of village Peere Ke Uttar, Tehsil Jalalabad (W), District Fazilka.

.....Applicant-accused.

Versus.

State of Punjab.

.....Respondent.

FIR No. 68 dated 17.08.2022

U/s : 379 IPC & 21(3) of Mines & Minerals (D& R) Act,
1957

Police Station : Amir Khas.

[Bail application U/s 438 of Cr.P.C.]

Present: Sh. Satpal Singh Advocate, counsel for the applicant.
Sh. Amit Goklaney, Addl. PP for the State.

ORDER:

Present order of mine shall dispose off bail application filed by applicant- Prem Singh.

2. Brief facts of the bail application are that the applicant/accused is innocent person and law abiding citizen of India and nothing has been recovered from the applicant/accused. Hence, it is prayed that applicant be admitted to bail.

3. Upon notice, learned Addl.PP for State appeared and contested the bail application.

4. I have heard learned counsel for applicant, learned Addl.PP for State and have gone through the records of the case file carefully.

5. The present FIR was registered at the instance of ASI Swaran Singh, No. 975/FZK on the allegations that on 17.08.2022, he alongwith other police officials was present in the area of Radha Swami Satsang Ghar, Middha that there he received secret information that applicant

Prem Singh was coming on tractor make Mohindra 235 DI of red colour alongwith trolley loaded with illegally mined sand and was going towards village Peere Ke Uttar. It was further informed that if immediately raid is conducted at his house, he can be arrested with illegally mined sand loaded in trolley. Finding the information to be trustworthy, Ruqa was prepared, on the basis of which, present FIR was registered. Thereafter, raid was conducted at house of the accused, there from tractor make Mohindra 235 DI, without registration number and trolley loaded with sand was recovered. However, the applicant was not found present at his house. Perusal of the police record further shows that apart from present FIR, another FIR No. 22/2022, Police Station Amir Khas, under section 379 IPC, 21(3) of Mines and Minerals Act, 1957 is stated to have been registered against the applicant. After going through the aforesaid facts, I am of the view that the applicant is habitual of mining sand illegally. If the applicant is admitted to anticipatory bail, there is every likelihood that he will indulge in similar illegal activities. Consequently, finding no merits in the present bail application, the same is hereby dismissed. File be consigned to the record room.

Pronounced in open court.
Dated : 12.09.2022

*Typed by :- Sunil Kumar,
Stenographer Grade-I.*

Sd/-

(Vishesh)
Addl. Sessions Judge,
Fazilka. UID No: PB0228