

**In the court of Ms. Neelam Arora, Addl. Sessions Judge,
Hoshiarpur - UID No. PB0091**

BA CIS No: 1685 of 13.8.2020
CNR No. PBH00100 4084 2020
Date of Decision: 17.8.2020

Hardeep Singh aged 33 years son of Vikram Singh, resident of village Malkana, Indora, Kangra, Himachal Pradesh.

....Applicant/accused

Versus

State of Punjab

.....Respondent

FIR No. 59 dated 8.8.2020
U/Sec. 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 and under Sec. 51 of Disaster Management Act, 2005,
PS : Hajipur, District Hoshiarpur.

Application for regular bail u/s 439 Cr.PC

Present: Shri AS Minhas, Advocate for applicant/accused
Shri Gurpreet Singh, Addl. PP for the State

ORDER

This order of mine shall dispose off application for regular bail, moved by applicant/accused aforesaid in the present case.

2. Notice of this bail application was given to the State through Ld. Addl. PP for the State. Record was requisitioned.

3. The learned counsel for applicant/accused has argued that applicant/accused has been arrested in this case on 8.8.2020 and since then he is in custody. It is submitted that nothing is to be recovered from the applicant/accused and that presentation of challan and thereafter conclusion of will take time, as such no useful purpose will

be served by keeping the accused in custody any more. Hence, it is prayed that the applicant/accused may be released on bail.

4. On the other hand, the learned Addl. PP for the State has resisted the bail application and submitted that the applicant/accused was apprehended along with tractor trolley loaded with sand by the police party. Also he argued that the accused could not produce any document for extracting of sand, showing that accused had got no permission for said extraction and the mining was done illegally. Hence, he prayed for dismissal of the bail application.

5. Heard. Record perused. As per case of prosecution, on 8.8.2020, tractor trolley loaded with sand, was apprehended by the Mining Officer along with police party headed by ASI Jagjit Singh in the area of PS Haji Pur, District Hoshiarpur, which was involved in extracting minerals from mines, illegally. The said tractor trolley was being driven by applicant/accused and he could not produce any licence/permit with regard to loading of sand. The applicant/accused is in custody since 8.8.2020. The recovery has already been effected. The presentation of challan and thereafter conclusion of trial would take some time. No useful purpose would be served by keeping the accused in custody any more. In these facts and circumstances of the case, without commenting on the merits of the case, the accused/applicant is ordered to be released on bail on furnishing of bail bonds in the sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of

learned Illaqa/Duty Magistrate subject to the conditions that the accused shall not tamper with prosecution evidence, he shall not leave the country without prior permission of the Court and shall appear in the court on each and every date hearing. Bail application stands allowed accordingly. Record be returned. File be consigned to the record room.

Announced
17.8.2020

baljinder

(Neelam Arora)
Addl. Sessions Judge
Hoshiarpur
UID No. PB0091

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Record produced. Arguments heard. Vide separate detailed order of even date, the present bail application filed by applicant/accused has been allowed. Police record be returned. File of bail application be consigned to the record room.

Announced
17.8.2020

baljinder

(Neelam Arora)
Addl. Sessions Judge
Hoshiarpur
UID No. PB0091