

Tarsem Lal Versus State. BA-1429 of 2020.
(CNR No.PBHO01-003475-2020).

“Application U/s 439 Cr.P.C for regular bail”.

Present: Shri Naveen Jairath, Counsel for applicant-accused.
Shri Satnam Singh, Additional PP for the State.

Applicant-accused Tarsem Lal is seeking regular bail in case FIR No.101 dated 9.7.2020 under Section 379 of IPC and Section 21 (1) of Mines and Mineral Development & Regulation Act, 1957, Police Station Sadar, Hoshiarpur. It is pleaded that applicant-accused was arrested by the police on 9.7.2020. He is innocent and has been falsely implicated in this case. Applicant undertook to abide by the terms of bail and prayed for releasing him on bail.

2. Upon notice, Learned Additional PP for State did not file reply, but orally opposed the bail application.

3. I have heard the arguments of Learned Counsel for applicant-accused as well as Learned Additional PP for the State and have perused the record carefully. As per allegations, on 9.7.2020, ASI Gagandeep Singh was present at Police Station Sadar, Hoshiarpur where ASI Gurmel Singh informed that he alongwith other police officials had apprehended a tractor-trolley loaded with said alongwith its driver in the Choe area of Village Boothgarh. On this, ASI Gagandeep Singh with police party reached the spot and completed the proceedings. Accused Tarsem Lal son of late Ram Sarup, could not produce any document regarding mining. Accordingly,

case was registered and accused Tarsem Lal was arrested and tractor-trolley was taken into police possession. Mining Inspector was also informed on telephone who reached the spot and moved relevant application regarding illegal mining by the accused.

4. The recovery in this case has already been effected. The applicant-accused is in custody since 9.7.2020. No useful purpose will be served by detaining the applicant-accused in custody. The presentation and conclusion of trial will take long time. In these circumstances, the applicant-accused Tarsem Lal is ordered to be released on bail on his furnishing personal bail bonds in the sum of Rs.40,000/- with one surety of the like amount to the satisfaction of Ilaqa/Duty Magistrate, with conditions that he shall appear in the court on each and every date of hearing, he will not leave India without prior permission of the court and that he shall not tamper with evidence of prosecution. Record be returned and bail application be consigned to record room, after its completion.

Announced in open Court:

Dated: 16th July, 2020.

‘Gautam Manocha, JW (SG)’

(Sandeep Kumar Singla),
(D) Judge, Special Court/Hoshiarpur.
(UID No.PB-0118).