

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-24833 of 2015 (O&M)
Date of Decision: 07.08.2015

Anand @ Pappu

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:-HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ravinder Hooda, Advocate for the petitioner.

Mr. M.S. Sidhu, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 439 Cr.P.C praying for grant of regular bail to the petitioner in case F.I.R. No. 289 dated 20.11.2008 under Sections 379, 411 I.P.C, sections 4/5 of the Explosive Act, sections 4/23 of Petroleum Act and sections 3/4 of PPD Act , 2 under Official Act, registered at Police Station, Sampla, District Rohtak.

Counsel for the parties have been heard.

F.I.R was registered on the basis of a secret information received by the police party that one Tanker bearing registration no. HR-47-A-1475 filled with crude oil has been looted by Mukesh, Rajesh, Jagbir, Nindre and Pappu in collusion with the driver of the tanker namely Babloo. Based on such secret information a raid was conducted and the tanker in question was found parked adjoining to a school and the driver namely Babloo was apprehended on the spot.

The name of the present petitioner does not even figure in the F.I.R. His name was not even mentioned as per the secret information.

Learned State counsel would vehemently oppose the prayer made in the present petition by stating that petitioner had evaded the process

of law and had been declared a Proclaimed Offender.

Be that as it may, it has gone uncontroverted that driver of the tanker namely Babloo having been apprehended on spot had suffered a disclosure statement as regards four other persons namely Mukesh, Rajesh, Nindre and Jagbir. Even in such disclosure statement of the person apprehended on the spot, petitioner was not named. It so transpires that the petitioner is sought to be implicated on the basis of a disclosure statement suffered by co-accused Rajesh.

Petitioner has been in custody since 28.4.2015. The trial will take some time to conclude.

Without making any observations on merits, petitioner is held entitled to the concession of bail. Petition, accordingly, is allowed.

Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Rohtak.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

07.08.2015

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