

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Crl.Misc.No.M-5624 of 2015(O&M)

Date of Decision : 30.03.2015

Vijay Gautam

....Petitioners

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. Paramjit Singh and
 Ms. Neelam Chaudhary, Advocates for the petitioner

Mr. P.S.Chauhan, Addl. AG, Haryana

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 200 dated 13.6.2013 registered under Sections 379 IPC and Sections 15(2), 15(4) of Petroleum and Mineral Pipe Lines (Acquisition) of Right of User and Land Act, 2011 and Sections 3 and 4 of PPD Act, 1984 and Sections 16(a) and 3 & 4 of Explosive Act at Police Station, Sadar Rohtak, District Rohtak.

The petitioner is alleged to have committed a theft of petrol/diesel from the pipe line of the complainant company/corporation.

Learned counsel for the petitioner contends that there is no eye witness to the occurrence and the security guard who is alleged to have seen the occurrence has not supported the case of the prosecution. It is contended that he is falsely implicated in number of cases and in few of them he has been acquitted.

Learned counsel for the respondent would contend that the petitioner is a habitual offender and thus does not deserve the concession of

bail.

On due consideration of the matter and noticing the fact that the petitioner is in custody since June, 2013 which is a substantial period of incarceration and further noticing the fact that trial is likely to take some more time, instant petition is accepted. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C. Bail to the satisfaction of learned Trial Court which shall ensure heavy surety in order to obviate the chances of the petitioner indulging in similar activities.

Nothing said herein shall be construed to be an expression on the merits of the case.

March 30, 2015
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(Mahesh Grover)
Judge