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

**CRM-M No.11805 of 2018
Date of Decision: 05.04.2018**

VINAYPetitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sandeep Kotla, Advocate
for the petitioner.

Mr. Satish Saini, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.972 dated 19.12.2015, registered under Sections 379/285/427 IPC, Section 25 of the Arms Act, Section 15/16 of Petroleum Pipeline Act, Section 3/4 of Explosive Act and Section 3/4 of Prevention to Damage to the Public Property Act at Police Station Model Town, Panipat.

FIR was registered on the basis of complaint moved by the complainant. During investigation it was found that when the police party was present at Western Yamuna Canal, Mehrana Pull, a secret information was received to the effect that Vijay and Prem were coming in a vehicle from NFL side and they had

stolen the oil from the pipeline. A naka was laid and the vehicle was spotted. The persons sitting in the vehicle disclosed their identities as Vijay and Prem. They were arrested.

Learned counsel for the petitioner submitted that name of the petitioner was disclosed by co-accused Prem, who had already been granted regular bail by the Co-ordinate Bench of this Court vide order dated 20.02.2017 passed in CRM-M No.29594 of 2016. Similarly co-accused Vijay has also been granted regular bail by the Co-ordinate Bench of this Court vide order dated 26.04.2017 passed in CRM-M No.31603 of 2016.

Learned State counsel on instructions from ASI Birender Singh submitted that the challan has already been presented. After framing of charges by the trial Court, some of prosecution witnesses have also been examined.

I have heard learned counsel for the parties.

On the last date of hearing, learned State counsel on instructions from the Investigating Officer submitted that the petitioner is also involved in four other cases of similar nature.

Today on verification, it has been found that in fact the petitioner is not involved in other four cases, rather Vijay was involved in those four cases.

At this stage, without adverting to the merits of the

case, I am of the view that since the co-accused have already been granted bail, therefore, the petitioner deserves to be released on regular bail on parity.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 05, 2018

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No