

Sr. No.223

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

CRM No. M-49221 of 2017 (O&M)

Date of Decision: 15.01.2018

Daya Kishan@ Vijay

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Robin Singh Hooda, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.326 dated 25.08.2013, under Section 379 IPC, Section 15/16 Petroleum and Minerals Pipelines Act, Section 3/4 PDP Act and 3/4 Explosive Substances Act, registered at Police Station Sadar Sonipat, District Sonipat.

Counsel for the parties have been heard.

FIR came to be registered against the allegations of an attempt to commit theft of fuel from the Jalandhar pipeline (Delhi-Panipat Branch).

It has gone uncontroverted that the petitioner having been arrested was granted bail by the trial Court. However, having absented from trial proceedings the concession of bail was cancelled. Thereafter petitioner surrendered on 11.09.2017 and has faced incarceration since then.

Co-accused Rajesh and Pawan have been granted benefit of bail by this Court.

Against the backdrop of the allegations and period of incarceration already suffered by the petitioner and without making any observations on merit, petitioner is held entitled to the benefit of bail. Petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate.

Disposed of.

15.01.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No