

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

CRM-M-12977-2020 (O&M)
Date of decision : 11.06.2020

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... Petitioner

Versus

State of Haryana

...Respondent

CORAM :- HON'BLE MR. JUSTICE ARUN MONGA

Present :- Mr.Saurabh Dalal, Advocate
for the petitioner.

Mr. Vikrant Pamboo, DAG Haryana.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL) :

1. The petitioner is seeking regular bail in FIR No. 57 dated 08.02.2020, registered under Sections 15 and 16 of Petroleum Act, 1934, Sections 3 and 4 of the Explosive Substances Act, 1908, Sections 3 and 4 of the Prevention of Damage to Public Property Act, 1984 and under Sections 285, 379 read with Sections 34 and 511 of Indian Penal Code, 1860, Police Station Sampla, District Rohtak.

2. FIR in this case was registered on a complaint made by officer of Indian Oil Corporation. He informed the police about damage being caused to the oil pipeline, through which, oil was supplied and thus stealing of oil therefrom by an unknown person. After registration of case, investigated was carried out. The petitioner was earlier arrested in another case bearing FIR No. 548 dated 14.12.2019 for the similar offences. It was

in the course of investigation therein, that he suffered a statement admitting his involvement in the present case. Accordingly, he was arrested in this case as well.

3. Learned counsel for the petitioner submits that the petitioner is in custody since 14.12.2019. There is no legally admissible incriminating material against him. He further points out that in earlier FIR No. 548 dated 14.12.2019, the petitioner has already been granted benefit of regular bail by this Court vide order dated 05.06.2020 passed in CRM-M-12969 of 2020. He submits that petitioner is a handicapped person and suffers from paralysis and requires regular medical treatment. He further submits that parents of petitioner are also suffering from ailments and petitioner is unable to look after his parents being in custody for the last more than six months.

4. Notice of motion.

5. Mr. Vikrant Pamboo, DAG Haryana, who has joined the proceedings on service of advance copy of petition, accepts notice and opposes grant of bail. On a query posed by this Court, learned State counsel does not controvert the submission of learned counsel for the petitioner that the petitioner was involved in this case pursuant to his confessional statement made before the police in another case, in which he has already been granted bail by this Court.

6. The petitioner is in custody for the last more than six months. The trial of the case is not likely to conclude soon. Without adverting to the merits of the case, I am of the considered view that the petitioner is entitled to the benefit of regular bail, particularly in view of his paralytic condition requiring special medical attention.

7. In the premise, petition is allowed. The petitioner is ordered to be released on regular bail subject to his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate, Rohtak.

11.06.2020
Jiten

(ARUN MONGA)
JUDGE

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|--------------------------------|---------|
| 1. Whether speaking/ reasoned: | Yes/ No |
| 2. Whether reportable: | Yes/ No |