

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

CRM-M-9663-2022 (O&M)

Date of decision: 08.03.2022

Manoj @ Manju

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. J.P. Jangu, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 70 dated 11.02.2022 registered under Section 379/34 IPC and Section 7 of the Essential Commodities Act, 1955, at Police Station Kasola, District Rewari.

Learned counsel for the petitioner submits that the false implication of the petitioner is apparent from the very fact that despite there being sufficient number of officials/police officials, present at the spot, the petitioner had allegedly fled the scene; that the petitioner has been implicated on the disclosure statement of the co-accused; that no offence under Section 379/34 IPC against the petitioner is made out, as at the time of alleged theft, the Driver was very much present there and the extraction of the fuel, if any, was being done with the consent of the Driver and that that the Driver, who was arrested on the spot itself, was granted bail vide order dated 18.02.2022 passed by the Illaqa Magistrate.

I have heard the learned counsel for the petitioner.

From the order passed by the learned Sessions Judge, Rewari, while declining the bail of the petitioner, it would appear that the investigating agency had produced the photographs wherein the petitioner was seen to have been stealing fuel from the Tanker. The crime alleged seems to suggest that the petitioner might be part of a gang involved in such like thefts. Thus, the interrogation of the petitioner is a must.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

08.03.2022

Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No