

2025:PHHC:090799



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

1. **CRM M-62378-2024**
Date of Decision:22.07.2025

Harjeet Singh		...Petitioner
	Versus	
State of Haryana		... Respondent

2. **CRM M-1014-2025**

Gurdev Singh		...Petitioner
	Versus	
State of Haryana		... Respondent

3. **CRM M-65364-2024**

Rakesh @ Saroj		...Petitioner
	Versus	
State of Haryana		... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Ankit Bishnoi, Advocate
for the petitioners in CRM M-62378-2024 and
CRM M-65364-2024.

Mr. Nirmal Singh, Advocate for
the petitioner in CRM M-1014-2025.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S.SHEKHAWAT, J.

1. This order shall dispose off three petitions, i.e.,
CRM M-62378 of 2024 titled as ***“Harjeet Singh Vs. State of
Haryana”***, CRM M-1014-2025 titled as ***“Gurdev Singh Vs. State of
Haryana”*** and CRM M-65364-2024 titled as ***“Rakesh @ Saroj Vs.***

State of Haryana” whereby, the petitioners have prayed for grant of concession of regular bail in a case FIR No. 1045 dated 17.12.2022 under Sections 285, 379, 120-B, 201, 411, 420, 473, 467, 468 and 471 of IPC, Sections 3 and 4 of Explosive Substance Act, 1908 and Section 15 of Petroleum and Pipelines Act, 1962 and Sections 3 and 4 of Prevention of Damage to Public Property Act, 1984 registered at Police Station Shahabad, District Kurukshetra.

2. The FIR in the present case has been registered on the basis of the complaint filed by Aditya, Assistant Manager IOCL, NRPL, Ambala and the same has been reproduced below:-

“To, the Station House Officer P.S Shahabad (Markanda) District Kurukshetra (Haryana) Subject Sir, in the context of theft of petroleum substances from the Mathura Jalandhar pipeline chainage No. 202.200 KM of the Indian Oil Corporation Limited Northern Area(Region) Pipeline Ambala, from the Panipat Refinery of Indian Oil Corporation Limited (IOCL) one underground oil pipeline passes from Kurukshetra, Ambala to Jalandhar through which petroleum substances flow with high pressure. This pipeline originates at a depth (1.5M to 2.0 M) from the Jageer Vihar Colony of P.S Shahbad (Markanda). On 14.12.2022, information about pressure drop from 01.40 AM till 02.50 AM was received in the IOCL Ambala Control Room. After that on 14.12.2022, information about pressure drop from 07.00 PM till 07.00 AM of 15.12.2022 was received in the IOCL Ambala Control Room. After that, a DCVG SURVEY was carried out on

the pipeline on 16.12.2022. On the basis of this report, we got the IOCL, MJPL chainage 202.200 KM excavated where a valve fitting was found on the pipeline which was going towards the house adjacent to the pipeline area. Some unknown people had stolen approx. 3000 Ltr. on 14.12.2022 between 01.40 AM to 02.50 AM and approx. 10000 Ltr. of diesel from 7:00 PM on 14.12.2022 to 7:00 AM of 15.12.2022 from this fitting. This incident could have turned into a major mishap. IOCL is a public sector unit of Government of India. In the end, it is prayed before sir that necessary action must be taken against the unknown people (who executed this event with the motive of stealing) under the following provisions- (1) Section 3 and 4 of Prevention of Damage to Public Property Act 1984 (2) Section 15 of Petroleum and Mineral Pipelines Act (Acquisition of RTS of user in Land) 1962 (3) Sections 3 and 4 of Explosives Substances Act 1908 (4) Sections 285 and 379 Indian Penal Code 1860 SD- Applicant Aditya Assistant Manager IOCL, NRPL Ambala Date 17.12.2022 SD- Aditya Mob No. 8059860161”.

3. Learned counsel appearing on behalf of petitioner Harjeet Singh (petitioner in CRM M-62378-2024) submits that the petitioner was not named in the FIR and had no connection with the alleged theft from the underground pipeline of IOCL. In fact, Swaran Singh was the main accused, who had suffered a disclosure statement, stating that Bolero car was purchased by him from Gurdev Singh, co-accused. In the second disclosure statement, he stated that Gurdev Singh, co-accused had also informed him that number plate, which

was fixed on the Bolero car was fake and he had tampered with the chassis number and engine number. He further contends that the petitioner has been involved in the present case as he is brother-in-law of Gurdev Singh. Even, Gurdev Singh, had approached the petitioner and told him that Swaran Singh needed a car and they could sell the Bolero vehicle to him for a sum of Rs.2, 00,000/-. The petitioner handed over the Bolero car to Gurdev Singh and Gurdev Singh sold the car to Swaran Singh, who had used the vehicle in the commission of crime. Even, the petitioner and his co-accused were never aware of the fact that Bolero vehicle could be used in the commission of the crime. No recovery was effected from the petitioner and the petitioner was never involved in the sale and purchase of the petroleum products. The petitioner was arrested in the present case on 08.09.2024 and is in custody since then. After completion of investigation, the *challan* has been presented against the petitioner. He further contends that three accused, namely, Swaran Singh, Aabid and Rashid have been granted the concession of bail by this Court vide orders (Annexure P-2 to P-4).

4. Learned counsel appearing on behalf of Gurdev Singh (petitioner in CRM M-1014-2025) submits that he has been falsely involved in the present case as he alongwith Harjeet Singh had sold the Bolero vehicle to Swaran Singh and both of them were not aware of the fact that the chassis number and engine number were tampered and a fake number plate was fixed on the said car. The petitioner was

arrested in the present case on 08.09.2024 and is in custody since then.

5. Even, similar arguments have been raised by the learned counsel appearing on behalf of Rakesh @ Saroj (petitioner in CRM M-65364-2024) and he submits that the petitioner was arrested in the present case on 23.08.2024 and nothing was recovered from him. Even, the *challan* has been presented against him and the main accused Swaran Singh @ Sawran Singh @ Vikram has already been admitted to bail.

6. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that the petitioners were involved in a serious crime. Even Rakesh @ Saroj, petitioner involved in two other cases whereas Gurdev Singh, petitioner involved in 14 more cases. However, in 12 cases, Gurdev Singh, petitioner has been acquitted by the accused.

7. I have heard learned counsel for the parties and perused the record.

8. In the present case, it is not in dispute that three similarly placed co-accused, namely, Swaran Singh, Aabid and Rashid have already been granted the concession of bail by this Court vide orders (Annexure P-2 to P-4). Even, Swaran Singh was the main accused and the allegations were allegedly levelled against him. The prosecution is yet to lead evidence with regard to the involvement of the petitioners in the crime, before the trial Court.

9. In view of the above, without commenting any further on the merits, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

22.07.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No