



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

107

CRM-M-25992-2026 (O&M)

Date of decision: 07.05.2026

Bhanwar Singh

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Deepak Jaglan, Advocate and
Mr. Rampal Kaushik, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

This petition has been filed for the grant of anticipatory bail in case bearing FIR No.600 dated 28.09.2025 registered under Sections 305 and 317(2) of the Bharatiya Nyaya Sanhita, 2023 at Police Station Shahabad (M), District Kurukshetra.

2. Briefly stated, the facts giving rise to the present proceedings are that on 28.09.2025, PSI Harwinder Singh, along with SI Manoj Kumar, were present in the government vehicle bearing registration no.HR-03GV4946, being driven by HKRN Neeraj Kumar on G. T. Road near Teora Theh in connection with patrolling duty. A secret informer met PSI Harwinder Singh and informed him that the owner of New Sher-e-Punjabi Dhaba at Teora Theh, namely Bhanwar Singh Rana, was stealing petrol and diesel from a tanker bearing registration no. HR-68B-6226, belonging to the driver, namely Harjinder Singh son of Suchha Singh, resident of

village Surajpur, District Panchkula, on the back side of his Dhaba, and if a raid was conducted, he could be caught red-handed. On believing the information to be true, a raid was conducted at New Sher-e Punjabi Dhaba, Teora Theh, where a tanker no.HR-68B-6226 was parked, and driver Harjinder Singh was seen sitting on the tanker, transferring fuel from it into a drum kept behind the dhaba with a plastic pipe. On inquiry, the person sitting on the tanker told his name as Harjinder Singh, son of Suchha Singh, resident of village Surajpur, District Panchkula. The tanker, pipe, stolen fuel, along with eleven drums of fuel and three empty drums, were taken into police possession as case property vide recovery memo signed by the accused and witnesses and the recovery was done on the e-Sakshya app. The owner of the Dhaba fled from the spot on seeing the police party. Based on this, a formal FIR was registered, and the investigation was set in motion.

3. Learned counsel appearing on behalf of the petitioner contends that the petitioner has been falsely implicated in the present case and there is no direct or cogent evidence to establish the role of the petitioner in the present offence. He further contends that the petitioner was not apprehended at the spot and has been indicted in the present case on the disclosure of the co-accused, and the allegation that he fled from the spot is not sufficient to prove his involvement in the present case. It is contended that recovery of the alleged stolen fuel has already been effected from the spot, and no further recovery is to be effected from the petitioner. It is further argued that the petitioner is a resident of the village Kathwa, Tehsil Shahabad, and runs 'New Sher-e-Punjabi Dhaba'. There is thus no flight risk. Hence, there are

no reasons or grounds for denying the concession of anticipatory bail to the petitioner. Moreover, the offences in question are triable by a Magistrate.

4. Per contra, learned State counsel contends that as many as 26 drums were recovered from the premises of the petitioner and nearly 700 litres of oil had been removed from the Tanker. The petitioner has not furnished any proof or bills reflecting that he purchased the same by legal means. Further, the petitioner is involved in 06 other cases that have been registered against him, which are tabulated as under:-

Sr. No.	Details
1	FIR No.773 dated 25.11.2021 registered under Sections 379, 411 of the Indian Penal Code, 1860 at Police Station Shahabad.
2	FIR No.65 dated 16.10.2022 registered under Sections 379, 411, 407, 408 of the Indian Penal Code, 1860 at Police Station Shahabad.
3	FIR No.785 dated 29.11.2025 registered under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Shahabad.
4	FIR No.190 dated 18.07.2020 registered under Section 25 of the Arms Act, 1959 at Police Station Padav, District Ambala.
5	FIR No.326 dated 04.07.2019 registered under Sections 148, 149, 323, 325, 506 of the Indian Penal Code, 1860 at Police Station Shahabad.
6	FIR No. 537 dated 23.09.2020 registered under Sections 148, 149, 323, 506 of the Indian Penal Code, 1860 at Police Station Shahabad.

5. Learned State counsel further contends that merely because the

recovery stands effected and that the offences are triable by the Court of a Magistrate does not mean that the petitioner did not participate in the commission of the offence. No circumstances on the basis whereof the petitioner claims false implication have been pointed out in the present case, and that once the involvement of the petitioner is prima facie evident, he would be disentitled to anticipatory bail.

6. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.

7. Counsel for the petitioner has failed to refer to any document justifying how and under what circumstances the petitioner had procured such a huge quantity of oil at his place. He does not dispute that the Tanker driver was arrested, that the oil was seized at the spot, and that the premises belong to the petitioner herein. It is also not disputed that the said oil was stored or kept in the premises of the petitioner herein. Although the counsel for the petitioner contends that the petitioner is involved in two other cases, there is no material on the basis whereof this Court would disbelieve the specific information furnished by the learned State counsel.

8. Taking into consideration the multiplicity of involvement of the petitioner in such and similar offences, coupled with seized property having been recovered from the premises belonging to him, I fail to find myself in agreement with the submissions made by the counsel for the petitioner to the effect that he has any entitlement to claim the concession of anticipatory bail. The existence of circumstances that indicate the innocence of an accused is also one of the various considerations to be kept in mind while

considering a petition for the grant of anticipatory bail. Such circumstances do not exist in favour of the petitioner in the present case.

9. Finding no merit, the present petition is *dismissed*.

07.05.2026

Mangal Singh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(VINOD S. BHARDWAJ)

JUDGE