

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

**CRM-M-39840-2025  
Reserved on: 01.08.2025  
Pronounced on: 19.08.2025**

**SANDEEP GUPTA**

**...PETITIONER**

**VERSUS**

**STATE OF HARYANA**

**...RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr.Parveen Sharma, Advocate for the petitioner.

Dr. Jasmine Gill, AAG, Haryana.

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**ANOOP CHITKARA, J.**

FIR No.	Dated	Police Station	Sections
315	27.12.2008	Gohana Sadar, District Sonipat	379/420/467/468/471/120-B of IPC, 1860 (later on Section 511 of IPC, 1860 and Sections 3 and 4 of Prevention of Damage to Public Property Act, 1984)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. Per paragraph 23 of the bail application, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date/Year	Offenses	Police Station
1.	195	10.08.2007	379 IPC and Sections 15/16 of Petroleum Act	Sampla, District Rohtak
2.	316	27.12.2008	379/420/467/468/471/120-B of IPC, 1860 (later Sections 3 and 4 of Prevention of Damage to Public Property Act, 1984 and Sections 15/14 of Petroleum and Minerals Pipe Line (Acquisition Right of Users in Land) Act, 1962 added)	Gohana Sadar, District Sonipat
3.	229	10.11.2007	379 of IPC, 1860, Sections 3 and 4 of Prevention of Damage to Public Property Act, 1984 (Later Sections 201/467/468/471/337/420 of IPC (Later Sections 15/16 of Petroleum and Minerals Pipe Line (Acquisition Right of	Gohana Sadar, District Sonipat

			Users in Land) Act, 1962 added)	
4.	5	2024	—	Jaipur
5.	42	2024	—	Rohida, District Sirohi (Rajasthan)

3. The facts and allegations are being taken from the translated copy of FIR (Annexure P-1), which reads as follows:

*“To The SHO Sahib, Police Station Sadar Gohana. Today I Inspector SIT GOHANA along with C. Dilbagh Singh 475, C. Pradeep Kumar No. 1152 while travelling on Government Jeep driven by Krishan Kumar 1326, was present at T-Point Village Khanpur Kalan for checking of crime and patrolling; and then a special informer met me and informed that damage is being caused to National Mathura Pipeline from the land of Shamlat Panchayat Deh, towards Shamdi Village kachha passage, from fields to Dada Khera Mad Khanpur, by extracting crude oil with fake instruments and filling the same in Delhi Tankers No. HR 38C 6152 whose driver is Trilok Singh son of Roop Singh Thakur resident of Kajla Kot, District Nainital Uttarakhand and Tanker No. HR 58-0850 whose driver is Deewan Singh son of Jagat Singh Thakur resident Devi Dhura Police Station Loha Ghat, District Champawat Uttarakhand; and thus, by committing theft and by preparing fake Canter documents and fake bilty and the same is made reach to Surinder owner of Lakshmi Oil Company, Shivaji Park, Delhi. Two young boys, on motorcycles, contact the driver at hotels before reaching Gohana and out of them, one boy has problem in one of his eye, and they wear pent shirt, speaks Haryanvi language and they take there. Three men, already remain ready in an Alto Car at the place of occurrence who are to load the trucks, and they remain ready with fitted tools for extracting oil. Today perhaps they got some information. Immediate raid be conducted. With the help of tanker and by forming a gang, loss is being caused to government property (crude oil) from National Mathura Pipeline and by using fake documents loss is being caused to the country by committing theft. The three unknown young men of Alto car, speak Haryanvi language and two persons on Motor cycle Pulsar also speak Haryanvi. The above gang persons, by doing the above illegal act, have committed offence under sections 379,420,467,468,471,120 IPC and 3/4 of Prevention of Damage to Public Property Act 1984 and Pipe Line and Petroleum Mineral Act 1962 Ruqa, for the purpose of registration of case, is being sent to police station through Constable Pradeep Kumar 1152. I Inspector alongwith companion employees am busy making preparation for nakabandi (blockade). Officers be informed through special report and Panipat Refinery be informed. Photographer be also sent to me at the spot.”*

4. Counsel for the petitioner submits that petitioner was earlier on bail and due to non-appearance 24.11.2017 his bail was cancelled and he was declared proclaimed offender vide

order dated 17.04.2018. He further submits that petitioner was behind bars for sometime in other case and he was taken in custody in this case on production warrants. Co-accused of the petitioner has already been acquitted. The petitioner's counsel prays for bail by imposing including surrender of fire arms, if any. In case, he repeats the offence or commit any offence, where the sentence is more than 07 years, he would have no objection,if State files an application for cancellation of his bail and he undertakes to appear on each and every date. He further contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State’s counsel opposes bail on instructions.

REASONING:

6. Petitioner was earlier on bail, as such, this Court inclined to grant him bail. Per paragraph 15 of the bail petition, the petitioner has been in custody since last more than 10 months. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

7. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

8. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

9. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

10. This order is subject to the petitioner’s complying with the following terms.

11. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.

12. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an

ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

13. *This bail is conditional, and the foundational condition is that if the petitioners indulge in any non-bailable offense, the State may file an application for cancellation of this bail before the concerned Court, which shall be at liberty to cancel this bail.*

14. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

15. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

16. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

**(ANOOP CHITKARA)**  
**JUDGE**

**19.08.2025**  
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Whether speaking/reasoned: Yes  
Whether reportable: No.