

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

2025:PHHC:120955



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CRM-M-37300-2025 (O&M)

Date of Decision: 05.09.2025.

Sanjay Singh

...Petitioner.

Versus

State of Haryana

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Anil Kumar Malik, Advocate for the petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.141 dated 10.06.2025 under Sections 288, 316(3), 317(2), 303(2) of BNS and Section 7 Essential Commodities Act, 1955 and Section 4 of Explosive Substances Act, registered at Police Station HSSIIC, Barhi, District Sonipat.

Brief facts of this case are that the present FIR was registered on the basis of complaint filed by one Sandeep-Inspector, Food and Supply Office, Ganaur, stating therein that secret information was received by him regarding filling up of 19 kg cylinders from gas tankers (Capsule) at Shiv Ganga Dhaba on Delhi-Panipat G.T. Road, for the purpose of black marketing the same illegally. It was also reported that smell of leakage of gas was spreading in the said area. Accordingly, aforesaid Sandeep Kumar reached at the spot where he found that gas was being filled up from tanker No.HR-38-W-3254 into commercial gas cylinders, thereby committing theft of gas. Similarly another tanker bearing No.HR-38V-7945 was also being

used for filling up gas into commercial gas cylinders. One four wheeler bearing No.HR-46F-1594 was also found parked at the spot, wherein 18 commercial cylinders were kept. Moreover, 37 cylinders were lying at the place between two tankers. Total 70 commercial cylinders were found at the spot and four persons were apprehended, who disclosed their names as Govind, Sanjay (present petitioner), Karan and Sailender. The said Karan told the inspector that he used to get filled the gas cylinders @ Rs.900/- per cylinder with the help of his brother Sanjay (present petitioner) and then used to supply the same @ Rs.1,400/- per cylinder in the surrounding areas. He further disclosed that they were doing so in connivance with Parvesh @ Bhura i.e. owner of said Dhaba. An amount of Rs.8,000/- was recovered from the pocket of Govinda and similarly, Rs.10,000/- were recovered from Karan. However, no valid documents regarding 70 commercial gas cylinders, out of which 15 were filled and 55 were empty, could be produced by the above said persons. Accordingly, FIR in question was registered.

Learned counsel for the petitioner contended that the petitioner was not present at the spot and his name surfaced in the present case on the disclosure statement of co-accused Karan. The alleged recovery of 70 commercial gas cylinders has already been effected in the present case. Other co-accused Salender and Karan have already been granted bail by learned Additional Sessions Judge, Sonipat and he is ready and willing to join the investigation and the present petition be allowed.

Notice was issued in this case on 17.07.2025 and status report was called from the State, which was filed in the Court on 11.08.2025 and the same is taken on record.

Per contra, learned State counsel has opposed the petition while contending that the petitioner is the prime accused, who was behind the entire occurrence/ happening and as such he is not entitled to the concession of anticipatory bail.

Heard.

There are specific allegations against the petitioner that the other co-accused were acting at behest of the petitioner. Co-accused Karan also stated in his disclosure statement that the petitioner had sent the co-accused with 70 empty commercial gas cylinders in the vehicle to Shiv Ganga Vaishno Dhaba, after giving them Rs.10,000/- and told them to fill those gas cylinders by stealing gas from the big gas tanker and also told them he had spoken to the hotel owners and big vendors. Thus, the petitioner is alleged to be the master mind behind the entire happening and his custodial interrogation is required to unearth the entire plot. So, keeping in view the facts and circumstances in the present case and to conduct the investigation in fair and effective manner and to take it to its logical end, the petitioner does not deserve the concession of anticipatory bail.

Accordingly, the present petition stands dismissed. However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall also stand disposed of.

(SUKHVINDER KAUR)
JUDGE

05.09.2025.

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