

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

CRM-M No.23558 of 2015

Date of Decision: 18.08.2015

Devender @ Faugi

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sushil Jain, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana
for the respondent.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail in case FIR No.147 dated 16.03.2015, under Sections 328, 395, 120-B and 412 of IPC, registered with Police Station Sadar, Sonapat.

As per the allegations in the FIR, 30 tonnes of conductor wire (of aluminium) worth Rs.35 Lacs, lying in the open fields, are stated to have been stolen by unknown persons in the intervening night of 15/16.03.2015 by administering sedatives injections to the Watchman.

Learned Counsel for the petitioner contends that the offence under Section 395, IPC to the facts of case is not made out, apart from the fact that the petitioner was a Sub Divisional Officer in the Haryana Power Generation Corporation Ltd. He further states that the petitioner is in custody since 18.03.2015 and after completion of the investigation, challan has been presented.

Learned State Counsel, on instructions from ASI Ramesh Chander, does not refute with the contention that the investigation is over, however, states that there are three other cases of theft are pending, which have been solved after the arrest of the petitioner.

Without commenting upon the merits of the case, keeping in view the custody period and the fact that the investigation is over and the trial would take considerable period of time, no purpose would be served to keep the petitioner/accused-Devender @ Faudi in custody any longer, the prayer for regular bail is allowed and accordingly, he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Sonapat.

Disposed of.

August 18, 2015

Gagan

(JASWANT SINGH)
JUDGE