

Sr. No. 201

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-36676 of 2015
Date of Decision: 04.11.2015

Paramjeet Kaur

--Petitioner

Vs

State of Punjab

--Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Davinder Bir Singh, Advocate,
for the petitioner.

Mr. D.S.Virk, AAG, Punjab.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 77 dated 30.01.2015, under Section 135 of the Electricity Act, 2003, registered at Police Station Anti Power Theft, District Ludhiana.

Learned counsel for the petitioner places reliance on an order dated 03.11.2015, passed by this Court in CRM No. M-36572 of 2015, whereby petitioner was granted the concession of bail in another identical case. He prays for allowing the present petition. He further submits that in fact petitioner is not residing at the premises qua which instant FIR has been registered against her. In this regard, learned counsel for the petitioner refers to Rent Deed dated 05.02.2010 (Annexure P-2).

On the other hand, learned counsel for the State submits that because the petitioner has been found indulging in the theft of

electricity at more than one times, she is not entitled for bail pending trial. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after going through the record of the case, this Court is of the considered opinion that since the petitioner has not been found, as a matter of fact, residing at the premises qua which present FIR has been registered, she has been found entitled for bail pending trial. It is so said because as per Rent Deed (Annexure P-2), Balwinder Singh and Harpreet Singh, who are residing in the said house owned by the petitioner.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial, on her furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court/Duty Magistrate, Ludhiana.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

04.11.2015
vandana