

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

(208)

CRM-M-10063-2016

Decided on: May 25, 2016.

Ranbir Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. H.S. Saggu, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

On the basis of seals of LT/CT chamber having been found tampered with, a case of theft of electricity has been registered against the petitioner.

Application for bail has been opposed inter alia on the ground that notice for depositing fine and compounding fee, has not been complied with by the petitioner.

I have heard learned counsel for the petitioner, learned State counsel and gone through the record.

The offence under Section 135 of the Electricity Act, 2003 is cognizable as per Section 151-B of the said Act and its cognizance can be taken as per the provisions of Section 151 of the Act. Section 152 permits the compounding of the offences on payment of the amount as per Section 152 (1) of the Act.

Since the petitioner has joined the investigation and is not consuming electricity on account of connection having been disconnected, he can be granted concession of pre-arrest bail as chances of compounding and challenging the order in appropriate forum are open to the petitioner.

Petition is allowed. It is ordered that in case of arrest of petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the conditions that he will join investigation as and when required and will not commit similar offence of which he is accused of, during the entire period of trial.

(M.M.S. BEDI)
JUDGE

May 25, 2016
harsha