

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

**Criminal Misc. No. M-1325 of 2016
Date of Decision:-25.10.2016**

Shabir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. J.S. Saneta, Advocate
for the petitioner.

Mr. Vishal Garg, Additional A.G., Haryana.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.1781 dated 24.9.2015, under Sections 135 and 151 of the Electricity Act, registered at Police Station I & P Faridabad, District Faridabad

This Court vide order dated 29.1.2016, while issuing notice of motion, has granted interim bail to the petitioner subject to joining the investigation as and when directed by the Investigating Agency/Investigating Officer and to abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

Learned counsel for the petitioner contends that pursuant to order dated 29.1.2016, the petitioner has joined the investigation.

Learned State counsel, who is assisted by ASI Raj Kumar, has stated that though the petitioner has joined the investigation but on account of theft committed by the petitioner, recovery of penalty is yet to be effected from him.

I have heard learned counsel for the parties.

The fact as to whether the petitioner is liable to pay the penalty, is the subject matter of trial and the prosecution will have to prove its case beyond the reasonable doubt.

In view of the above, the present petition is allowed and interim directions issued by this Court vide order dated 29.1.2016 are made absolute.

However, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

October 25, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No