

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

CRM-M-22869 of 2016 (O&M)
Date of decision : 27.07.2016

Ajay Kumar @ Lucky

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Lalit Pradhan, Advocate and
Ms. Garima Sharma, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana
assisted by ASI Krishan Lal

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.24 dated 23.02.2015, registered under Sections 136/137 of the Electricity Act, at Police Station Dhand, District Kaithal.

It is contended that the petitioner was not arrested from the spot and not named in the FIR. The petitioner is in custody since 24.08.2015 and he has been falsely implicated in the present case.

The learned State counsel states that 17 Kgs. of copper wire along with Rs.25,000/- was recovered from the petitioner. He informs that the petitioner was involved in as many as 81 cases, however, he fairly

admits that in none of the cases he was caught red handed or apprehended from the spot. He submits that the petitioner was arrested in FIR No.245 dated 25.07.2015 registered at Police Station Pundri.

Heard.

Keeping in view the facts that the petitioner was arrested in FIR No.245 dated 25.07.2015 and thereafter, he was roped in as many as 81 cases; he was not arrested from the spot in any of these cases; and he is in custody since 24.08.2015, no useful purpose would be achieved in keeping the petitioner behind the bars.

In view of above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

27.07.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No