

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

CRM-M -38080 of 2016 (O&M)
Date of decision: 20.12.2016

Naresh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. I.S. Pabla, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Sher Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.2205 dated 09.09.2016, registered under Section 135 of Electricity Act, at Police Station Irrigation and Power, Ambala.

On 24.10.2016, this Court had passed the following order:-

“Learned counsel contends that the electricity meter in question is in the name of the original owner, namely Mukesh Kumar who is previous owner. Subsequently, the premises were purchased by one Sanjay Kumar who is residing on the first floor and drawing energy from the meter which is installed in the shop of the petitioner.

Notice of motion for 20.12.2016.

Meanwhile, in the event of arrest of the petitioner by

the Arresting Officer, he shall be released on interim bail subject to payment of Rs. 45,000/- within one week from today and also subject to the following conditions:

- 1.That he shall make himself available for interrogation by a police officer as and when required;*
- 2.That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3.That he shall not leave India without prior permission of the Court.”*

It is contended that in pursuance of the order dated 24.10.2016, the petitioner has joined the investigation

The learned State counsel, on instructions submits that the petitioner has made the payment of Rs.45,000/- and has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 24.10.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

20.12.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No