

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

CRM No.M-3814 of 2016 (O&M)

Date of Decision: 27.04.2016

Surjeet Kaur Pasricha

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. D.S. Patwalia, Senior Advocate with
Mr. Gaurav Rana, Advocate for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

....

TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioner in case FIR No.873 dated 07.11.2015, under Sections 135/138/150 of the Electricity Act, 2003, registered at Irrigation & Power Police Station Sushant Lok, Gurgaon.

On 03.02.2016, while issuing notice of motion, the following order was passed by this Court:

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.873 dated 07.11.2015, under Sections 135, 138, 150 of the Electricity Act, 2003, registered at Irrigation & Power Police Station, Sushant Lok, Gurgaon.

Learned senior counsel would, inter alia, contend that the offences under Sections 135, 138 and 150 of the Electricity Act are compoundable as per Section 152 of the Act and the petitioner has already resorted to such remedy and has made the requisite deposits of Rs.42,000/- towards compounding. It is further submitted that the petitioner is a senior citizen being

a 70 years old lady and under such circumstances, she is entitled to the benefit of anticipatory bail.

Notice of motion, returnable for 27.04.2016.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/ Investigating Officer. The petitioner shall join investigation as and when called upon to do so and she shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Ram Bhagat has apprised the Court that the petitioner has since joined investigation.

That apart, the observations contained in the notice of motion order have gone un rebutted.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Petition is allowed. Order dated 03.02.2016 passed by this Court is made absolute.

Disposed of.

27.04.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**