

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

**Criminal Misc.No.M-41363 of 2016 (O&M)
Date of Decision : 29th November, 2016**

Sita Ram

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sumit Sangwan, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Petitioner has preferred this petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.328 dated 15.09.2016, registered at Police Station Dadri City, District Bhiwani, under Sections 332, 353 IPC.

As per the allegations, the officials of the Electricity Department had gone to inspect the premises of the petitioner and found him committing theft of electricity. The petitioner misbehaved with them and also tried to lock them in a room and also tried to tear the challan book.

Learned counsel for the petitioner has argued that the entire premise is flawed because had there been any electricity theft, those provisions would also have been reflected in the FIR but there is no allegation in the FIR regarding theft of electricity.

Learned State counsel, on instructions of ASI Rajroop has

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accepted that there is no complaint under the Electricity Act.

In this view of the matter, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in this case. Let the petitioner appear before the concerned Investigating Officer on 07.12.2016 or any other date as required to join investigation. The Investigating Officer shall release him on bail to his/her satisfaction. However, the petitioner shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.

29th November, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No