

Sr. No. 205

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-4375 of 2016 (O&M)
Date of Decision: 04.05.2016

Bhalinderjeet Singh

...Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. L.S.Sekhon, Advocate,
for the petitioner.

Mr. D.S.Virk, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.263 dated 04.06.2013 under Sections 135 of Indian Electricity Act, 2003, registered at Police Station Anti Power Theft Patiala, District Patiala.

While issuing notice of motion the following order was passed by this Court on 08.02.2016:-

“Counsel would advert to document placed on record at Annexure P-2 i.e. information sought under the R.T.I Act and from where prima facie it appears that the connection of the consumer/present petitioner was disconnected on 28.4.2012, whereas the recovery proceedings relate to a period of time thereafter. Counsel would further submit that the anticipatory bail application

has been dismissed by the learned Judge, Special Court, Sangrur in the light of the order dated 7.10.2015 only on the ground that the petitioner has failed to deposit 50% of the amount of the compounding fee. In this regard it is contended that the petitioner has raised a dispute to the entire amount and has chosen not to even avail of remedy of compounding.

Notice of motion, returnable for 4.5.2016.

In the meanwhile, petitioner is directed to join investigation.

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

Learned State counsel upon instructions from SI Waryam Singh would apprise the Court that petitioner has since joined investigation on 17.02.2016. That apart the contentions noticed in the notice of motion order have gone unrebutted.

In view of the above, present petition is allowed. Order dated 08.02.2016, passed by this Court, is made absolute.

Disposed of.

04.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**