

Sr. No. 209

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-4877 of 2016 (O&M)
Date of Decision: 09.05.2016

Sadhu Singh

...Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. G.S.Sidhu, 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.275 dated 11.08.2014, under Section 135 of Electricity Act, registered at Police Station APT, District Bathinda.

While issuing notice of motion, the following order was passed by this Court on 10.02.2016:-

Counsel for the petitioner would inter alia contend that the petitioner who is elected Sarpanch of Village Bakshiwala is being falsely implicated on account of party faction. Further contended that even the allegations pertaining to theft of electricity by putting a kundi connection do not disclose the precise location of the premises/land where such connection had allegedly been put. Even the demand notice issued by the Punjab State Power Corporation Limited is silent on such aspect.

Counsel makes further submission that upon making inquiries, the petitioner had been informed that the allegation pertained to a piece of land that had already been auctioned by the Panchayat on 09.05.2014 and possession had been delivered to the successful bidders and as such, the petitioner would have no concern with such land.

Notice of motion, returnable for 09.05.2016.

In the meanwhile, petitioner is directed to appear before 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 he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel would apprise the Court that the petitioner has since joined investigation.

That apart the contentions raised on behalf of the petitioner and noticed in the order dated 10.02.2016 have gone unrebutted.

Under such circumstances, custodial interrogation of the petitioner would not be warranted. Petition is allowed. Order dated 10.02.2016, passed by this Court, is made absolute.

Disposed of.

09.05.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE