

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-6283 of 2016 (O&M)

Date of Decision: 16.05.2016

Karamjit Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Y.M. Bhagirath, Advocate for the petitioner.

Mr. D.S. Virk, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.361 dated 16.10.2013 under section 135 of Electricity Act, 2003, registered at Police Station, A.P.T., District Bathinda.

On 23.2.2016, while issuing notice of motion, the following order was passed by this Court:-

“Present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.361 dated 16.10.2013, under Section 135 of Electricity Act, 2003, registered at Police Station APT, District Bathinda.

Allegation against the petitioner is with regard to theft of electricity by way of a Kundi connection. Counsel appearing for the petitioner would advert to the report dated 09.05.2014 of the SDM Mansa who had inquired into the matter and had observed that the allegations of theft of electricity were unfounded and the Executive Engineer, Punjab State Power Corporation Limited, Mansa was directed to have the matter investigated afresh.

Notice of motion, returnable for 16.05.2016.

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 upon instructions from S.I Iqbal Singh would apprise the Court that the petitioner has since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 23.2.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

16.05.2016
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