

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-15795 of 2017
Date of Decision: 01.06.2017

Ram Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. M.S. Randhawa, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 44 dated 21.02.2017 registered for offences punishable under Sections 186, 332 and 506 of Indian Penal Code (for short 'IPC') and 136 of Electricity Act, at Police Station Nangal Chaudhary, District Mohindergarh.

Heard.

FIR was registered on the complaint of electricity authority wherein they have reported that a team of Electricity Department had gone to the house of the petitioner for checking the electric connection. On detecting theft of electricity, when the team was taking photographs, the ladies of the house started abusing them. The petitioner and RamKumar etc. tried to confine the team in a room and to kill them and the members of the Team were compelled to flee from the spot. Even persuasion by police did not yield any result and the petitioner who was having a *Lathi* in his hand attempted to beat the team members but they succeeded in leaving the spot in their vehicles. The petitioner followed the vehicle with *dangs* in his hand

and tried to kill the members of the team. He had not only threatened to kill the members of the team but had also obstructed their official work and did not permit them to remove the electric wires/meter through which the theft of electricity was being committed.

Learned State counsel has argued that the conduct and allegation of the petitioner is serious in nature and do not call for exercise of discretionary power of this Court to grant him the benefit of bail.

Learned counsel for the petitioner submits that co-accused named in the FIR namely Ram Kumar has already been extended the benefit of bail by the court below.

Countering the submission of learned counsel for the petitioner, learned State counsel submits that Ram Kumar has been extended the benefit of bail as he was 100% blind.

On giving careful thought to the submissions of the learned State counsel and the counsel for the petitioner and taking note of the facts and circumstances of this case, I do not find it to be a fit case where discretionary powers of this Court should be exercised to extend the benefit of anticipatory bail to the petitioner. The petitioner who was involved in illegal act of theft of electricity not only obstructed officials of electricity authorities discharging their duty, but also attacked, humiliated and abused them. Grant of pre-arrest bail in such cases will convey a wrong signal to the society.

This petition has no merit and the same is dismissed.

June 01, 2017

Paritosh Kumar

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No