

211.

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

CRM-M-46747-2018

Date of decision:13.11.2018.

LAKHBIR SINGH

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Maninder Singh Bajwa, Advocate,
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.1132 dated 05.07.2018 registered under Section 135 of Electricity Act, 2003 at Police Station Anti Power Theft Verka, Amritsar, District Amritsar.

Learned counsel for the petitioner states that on 04.05.2018 while checking the electricity meter by the Enforcement staff, Amritsar-I, the electricity meter of the petitioner was found tampered with, for which, the Electricity Department has imposed a penalty of Rs.9,13,121/-. The compounding charges of Rs.64,400/- were also shown outstanding. The petitioner has challenged the said penalty by way of civil suit which is pending before the Civil Judge (Junior Division), Patti. In the civil suit, the petitioner has moved an application under Order 39 Rules 1, 2 read with Section 151 CPC. The Civil Court, vide order dated 01.11.2018, has

directed the petitioner to make payment of 50% of bill amount of Rs.9,13,121/- dated 07.05.2018 and the complainant-Electricity Department was further directed to restore the electricity connection within a period of 5 days from the date of such payment (i.e. half payment of Rs.9,13,121/-).

Learned counsel for the petitioner states that the petitioner is ready to deposit the said amount within the period as directed by the civil court of course while excluding the period spent on obtaining certified copy of order dated 01.11.2018.

In view of above, present petition is disposed of with a direction that in case the petitioner deposits the aforesaid amount on or before 17.11.2018, he shall be admitted on interim bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court.

In case the petitioner fails to deposit the said amount, the present petition shall deem to have been dismissed.

(HARI PAL VERMA)
JUDGE

13.11.2018
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.