

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

210

CRM-M No. 5931 of 2018

Date of Decision: 21.2.2018

Riyaz

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.S.Bairagi, Advocate, for the petitioner.

Mr. Munish Dev Sharma, AAG, Haryana.

RAJ MOHAN SINGH, J.(oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No. 326 dated 10.8.2017 registered under Section 136 of the Electricity Act, 2003 at Police Station Indri, District Karnal.

FIR was registered on the basis of letter issued by the office of S.D.O.(Operation), Sub Division, UHBVN, Garhi Birbal in respect of theft of coil of the transformers of Joginder Singh and Ved Parkash. One more FIR No.328 was registered on the next day i.e. 11.8.2017 for the similar offence, in which Imam Ali was granted bail in CRM-M No. 47191 of 2017. Imam Ali and Rajab Ali were arrested in the present case. The petitioner was involved on the basis of disclosure statements of the aforesaid two accused.

Learned State counsel, on instructions from ASI Satyawan, submitted that challan has already been presented

against the original accused on 13.9.2017 and qua the petitioner, challan has been presented on 30.10.2017. 6 kgs of Copper Wire was recovered from co-accused Imam Ali and no recovery has been effected from the petitioner.

Learned State counsel further submitted that the petitioner is having antecedent criminal behaviour in terms of number of cases.

The similar plea was raised in case of Imam Ali, who has already been granted bail by this Court on 22.1.2018 in CRM-M No.1662 of 2018.

Petitioner is in custody since 8.12.2017. Trial may take some time in its culmination.

Taking into consideration the aforesaid facts and without commenting upon merits of the case, I deem it appropriate to grant concession of regular bail to the petitioner. Consequently, this petition is allowed. Petitioner is ordered to be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 21, 2018

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**(RAJ MOHAN SINGH)
JUDGE****Whether reasoned/Speaking****Yes/No**