

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8473-2018
Date of decision: 26.04.2018

Dilshad and another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ravinder Bangar, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.0021 dated 20.01.2017 under Section 136 of the Indian Electricity Act, 2003 (for short 'the Act'), registered at Police Station Ladwa, Kurukshetra.

Learned counsel for the petitioners submits that the maximum punishment under Section 136 of the Act is 03 years and the petitioners are in judicial lockup since 20.03.2017. It is further submitted that the offences are triable by the Court of Magistrate and it will take some time in conclusion of the trial.

Learned State counsel, on instructions from ASI Baljeet Singh, submits that 10 prosecution witnesses have already been examined and the petitioners are involved in some other FIRs.

In reply, learned counsel for the petitioners has placed on record

the orders passed by this Court granting bail to the petitioners in four other FIRs registered under Section 136 of the Act and one order passed by the Additional Sessions Judge granting bail in a similar case. Learned counsel for the petitioners submits that the petitioners were not apprehended at the spot and they have undergone substantive sentence as per the custody certificate.

Without commenting anything on merits of the case, considering the fact that the petitioners have undergone the custody period of about 13 months; case is still at the stage of prosecution evidence and in all the other FIRs, this Court has granted bail to the petitioners, this petition is allowed and the petitioners are directed to be released on bail subject to furnishing their bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

26.04.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No