

CRR-415 of 2019

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

CRR-415 of 2019
Date of Decision: 20.02.2019

Ram Niwas

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Vivek Sethi, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through instant revision, petitioner has laid challenge to order dated 19.11.2018 of the learned Additional Sessions Judge, Bhiwani, whereby his application for discharge in case FIR No.59 dated 03.05.2016 registered under Sections 304-A IPC and 139 of the Electricity Act, 2003, pertaining to Police Station Siwani, District Bhiwani, has been dismissed.

Learned counsel for the petitioner *inter alia* contends that as per information sought by the petitioner under the Right to Information Act, no theft was found to have been committed by the petitioner in between 01.05.2016 and 10.05.2016, whereas alleged theft and death of a person, who died due to electrocution, as per prosecution, took place on 03.05.2016. Petitioner was on duty at the time of alleged incident.

Having given thoughtful consideration to the submissions made by learned counsel for the petitioner, this Court is not inclined to differ with the impugned order which is perfectly legal. Submissions made by learned counsel for the petitioner require appreciation of evidence to be led by the

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prosecution during trial. Therefore, petitioner cannot be discharged at this stage.

Dismissed.

February 20, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No