

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-6908-2019 (O&M)

Date of Decision:-19.3.2019

Surender @ Dhillla

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sushil Sheoran, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.40 dated 20.1.2018 at Police Station Dadri Sadar, District Charkhi Dadri under Sections 186, 332, 333, 342, 353, 427 and 506 of Indian Penal Code, 1860.

The allegations, in nutshell, are that on 20.1.2018, when a team of employees of 'Dakshin Haryana Bijli Vitran Nigam' (DHBVN) had gone for detecting and checking illegal theft of electricity, they came across Ranbir, who was supplying water to his fields by using electric motor, which had been connected to electric transformer without there being an authorized connection. Upon noticing the team, Ravi son of Ranbir started rolling the wire near the transformer and who was videographed by team of DHBVN. Thereafter Ravi made a telephone call and called other members of his

family. The complainant has alleged that out of the accused he knew Ravi, Ranbir and Ravinder, whereas he did not know the names of the remaining 5-7 persons, who were all carrying sticks. It is alleged that the said accused confined the team members of DHBVN and attacked them with sticks. Ravi and two other accused allegedly forced the complainant in the pond of dirty water and gave kicks and stick blows and also attempted to strangle his throat. The accused are also alleged to have caused injuries to Sanjay, Lineman. It is alleged that the accused snatched the mobile phone and wallet of the complainant and also the mobile phone of Jaideep, Assistant Lineman.

The learned counsel for the petitioner has submitted that the petitioner has falsely been involved in the present case and that he is not named in the FIR. It has further been submitted that the three accused, who are named in the FIR, namely Ravi, Ranbir and Ravinder, have since been released on regular bail.

Opposing the petition, the learned State counsel has informed that the complainant, in his supplementary statement recorded on 25.3.2018, had stated that one of the accused was named as Surender @ Dhillia i.e. the present petitioner and that the petitioner is also involved in four other cases. It has, however, been informed that the petitioner has been behind bars since 16.1.2019. It has also been informed that although challan has been presented but charges are yet to be framed and that as many as 17 prosecution witnesses have been cited by the prosecution.

Having regard to the facts and circumstances of the case and bearing in mind the fact that the petitioner is sought to be implicated on the basis of the supplementary statement of the complainant recorded two

months after the occurrence and also that the petitioner has been behind bars since the last more than two months and that the trial in its normal course is likely to consume some time for its conclusion as charges are yet to be framed, in my opinion, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner Surender @ Dhilla is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition stands accepted accordingly.

19.3.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No