

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20212 of 2018(O&M)
Date of Decision: 28.02.2019

Manoj Kumar		...Petitioner
	Versus	
State of Haryana		...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: - Mr. Dinesh Kumar Prajapati, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana

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HARINDER SINGH SIDHU, J.

This is a petition for grant of anticipatory bail to the petitioner in case FIR No. 251 dated 02.05.2018 registered at Police Station Kotwali, District Faridabad, for the offence under Sections 379, 411 IPC and 136 of the Electricity Act, 2003.

The allegations in the FIR pertain to theft of cables belonging to the electricity department.

It is the case of the respondent-State that the said cable was recovered from the shop of the petitioner whereas it is the case of the petitioner that he is a scrap dealer and has been falsely implicated.

As per the investigation, total 2705 kgs of unused cable and 415 kgs of cable scrap were recovered. Approximate value of unused cable is Rs.2,99,120/- and the scrap cable is Rs.33,200/-, making a total of Rs.3,32,320/-.

Learned counsel for the petitioner states that he is ready to deposit the assessed value of the cables subject to the outcome of the case.

Learned State counsel states that the petitioner has joined the investigation and his custodial interrogation is not required.

Considering the aforesaid facts and circumstances, the petition is allowed. The order dated 11.05.2019, granting interim anticipatory bail to the petitioner, is made absolute subject to the petitioner depositing an amount of Rs.3,35,000/- before learned trial Court within a period of three weeks from today which shall be kept in the shape of FDR in any nationalised Bank. However, the petitioner shall join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

Any observation made, in this order, shall not be taken, as an expression of opinion on the merits of the case.

February 28, 2019
dinesh

(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/ reasoned:
Whether Reportable:

Yes
Yes/No