

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-14939 of 2019
Date of Decision: 11.07.2019

Shashi Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.A.D.S. Sukhija, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.28 dated 28.02.2018 registered for offences punishable under Sections 420, 379 and 120-B of Indian Penal Code (for short, "IPC") at Police Station Shahzadpur.

Heard.

Notice of motion.

On asking of the court, Mr. Munish Sharma, AAG Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per allegations in the FIR, petitioner had stolen a receipt book of UHBVN, Shahzadpur and issued certain receipts to consumers from that receipt book. He was arrested in this case on 11.03.2019 and thereafter, final report has been presented in Court.

Learned State counsel submits that the police has recorded

statements of three persons that they were issued receipts of deposit of security amount of the electricity meter by the petitioner but meters were not installed at their houses. When they enquired the matter from the department, it transpired that the petitioner has issued those receipts from the stolen receipt book.

Without expressing any opinion on merits of the case but keeping in view the fact that the petitioner was arrested about four months back and that the conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Shashi Kumar is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

July 11, 2019
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No