

251 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-19086-2019

Date of decision-28.05.2019

Lakhvir Kaur

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. J.S.Brar, Advocate for the petitioner.  
Mr. Kirat Singh Sidhu, DAG, Punjab assisted by  
ASI Baljinder Singh.

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MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.365 dated 22.03.2019 under Section 135 of Electricity Act, 2003 registered at Police Station anti Power Theft, Bathinda, District Bathinda. The petitioner apprehended her arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 29.04.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner refers to the communication dated 14.06.2016 (Annexure P-6) by Assistant Executive Engineer, Sub Divisional Rural Malout regarding theft of electricity meter belonging to the connection (A/C No.JR 151191 DS) in the name of the petitioner, which was stolen. According to him, despite noticing this fact, new meter was not installed, thereby compelling the petitioner to approach the District Consumer Redressal Forum on 01.03.2019, whereupon a direction was issued to the Electricity Department to restore the electricity connection vide*

*order dated 05.03.2019 (Annexure P-5). According to him, at this stage, Electricity Department raised the alleged demand through FIR No.365 dated 22.03.2019 under Section 135 of Electricity Act, 2003, wherein notice regarding compounding of the offence(s) is also given.*

*Notice of motion for 28.05.2019.*

*Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted herself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Baljinder Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Baljinder Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 29.04.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

**(MANOJ BAJAJ)**  
**JUDGE**

**28.05.2019** Whether speaking/reasoned :  
vanita Whether Reportable :

Yes No  
Yes No