

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

CRM-M No.36897 of 2019 (O&M)
DATE OF DECISION : 29th OCTOBER, 2019

Raju

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Ravinder Bangar, Advocate for the petitioner.

Mr. Vikas Malik, Deputy Advocate General, Haryana.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.0124 dated 17.07.2018 registered under Section 136 of the Indian Electricity Act (2003) at Police Station Jhansa, District Kurukshetra.

It is contended by counsel for the petitioner that the case against the petitioner is concocted one. The petitioner is not involved in any crime as alleged in the FIR. It is also submitted that the police have shown the recovery of 4 kg 900 grams of copper electricity wire. However, nothing was actually recovered from the petitioner. Still further it is submitted that the petitioner is in custody since 30.09.2018. The offence is punishable for imprisonment for 3 years. The investigation of the case is complete. Therefore, the petitioner is not required for any investigation purposes.

On the other hand, counsel for the State, being instructed by ASI Jagminder Singh, submits that the recovery has duly been effected

from the petitioner. The petitioner is habitual of theft of the electric materials. In the present case, the evidence of the prosecution have already been started. Hence, the petitioner does not deserve to be released on bail.

In reply to the submissions made by the State counsel, learned counsel for the petitioner submits that in the other cases the petitioner has already been released on bail.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

29TH OCTOBER, 2019
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>