

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-37238 of 2019
Date of Decision: 10.09.2019

Jasbir @ Jassi and others

....Petitioners

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Pulkit Dagar, Advocate
for the petitioners.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioners in case FIR No.78 dated 04.03.2019 registered for the offence punishable under Section 136 of the Electricity Act, 2003, at Police Station Kurukshetra University District Kurukshetra.

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 case of prosecution, a 20 KVA transformer was stolen on the intervening night of 22/23.01.2019 and the matter was reported to the police by Sub Divisional Officer (Operations), Sub Division No. 1, Uttar Haryana Bijli Vitran Nigam Limited (UHBVNL), Bhadarkali Mandir, Jhansa Road, Kurukshetra.

Learned State counsel submits that petitioners were arrested in some other case and were taken in custody in this case on production warrant. On the basis of their joint disclosure statement, 7 kgs. 200 gms. of copper wire was recovered from their possession.

The petitioners were arrested on 24.03.2019 and are in custody since then. After completion of investigation challan against them has been presented in Court.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioners, namely, Jasbir @ Jassi, Rajesh @ Annu, Dharam Pal @ Bhulli and Ram Mehar are 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 petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

September 10, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No