

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

212

CRM-M-43294-2019 (O & M)
Date of Decision:23.10.2019

Jogender and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Damodar Khurana, Advocate
for the petitioners.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.319 dated 11.02.2016 under Section 135 Indian Electricity Supply Act, 2003, registered at Police Station I & PS Rewari, District Rewari. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners contends that the offence punishable under Section 135 of the Indian Electricity Supply Act, 2003 is compoundable and they are willing to compound the same. He further undertakes that the petitioners shall deposit 50% of the assessed amount within a period of 2 weeks from today.

On the other hand, learned State counsel upon instructions from ASI Narender Singh has opposed the prayer. However, it is not disputed by

him that the offence punishable under Section 135 of the Indian Electricity Supply Act, 2003 is compoundable.

Considering the above background, this Court is of the opinion that the custodial interrogation of the accused may not be necessary, particularly when the accused have expressed their willingness to compound the offence. Let the petitioners deposit the 50% of the assessed amount within two weeks from today.

The petition is allowed and it is ordered that in the event of arrest of the petitioners by the Arresting Officer, they shall be released on bail subject to their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438(2) Cr.P.C. The above order shall not be construed as an opinion on the merits of the case.

In case the amount is not deposited by the petitioners within a period of two weeks, the petition shall be deemed to be dismissed.

23.10.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No