

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

220

CRM-M-40 of 2020

Date of decision: 31.01.2020

Vikram @ Vicky

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Tarun Sharma, Advocate for
Mr. Paramjit Singh Jammu, Advocate
for the petitioner.

Mr. Arjun Singh Yadav, Asstt. A.G., Haryana
for respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 137 dated 10.10.2019 registered under Section 136 of the Electricity Act, 2003 at Police Station Baragudha, District, Sirsa.

Learned State counsel has appeared and opposed the bail application.

Custody certificate filed by learned State Counsel today in the Court, which is taken on record.

I have heard learned counsel for the petitioner and learned State counsel and gone through the record.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case due to his dispute with his employer-Contractor who lodged the FIR through the officials of the Electricity Department. Nothing was recovered from the

petitioner. The petitioner is in custody since 11.10.2019. The petitioner is not involved in any other case of similar nature. The trial is likely to take long time. No useful purpose will be served by keeping the petitioner behind the bars. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State counsel has submitted that the petitioner was caught red handed while committing theft. In view of the nature of accusation, the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

However, learned State counsel has conceded that the petitioner is not involved in any other case pursuant to similar offence .

Keeping in view the facts and circumstances of the case, nature of accusation and material against the petitioner, the fact that he is not involved in any other case of similar nature and also that trial is likely to take long time but without commenting on merits, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

31.01.2020

Rajeev (rvs)

**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No