

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

CRM-M-5320-2020 (O&M)
Date of Decision:- 25.11.2020

Mukesh Sharma ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.S. Mor, Advocate for the petitioner.

Mr. Vikrant Pamboo, DAG Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.174 dated 12.7.2019 under Section 138 of Electricity Act, 2003 and Section 420 IPC at Police Station Sadar Narwana, District Jind.
2. The allegations, in nutshell, are that the petitioner who was working as a Contractor with DHBVN had issued electricity connections to land owners without formal permission for extension of such connections having been granted by the Nigam.
3. The learned counsel for the petitioner has submitted that there is no evidence worth credence to show that the petitioner had extended any illegal connections and that the petitioner, in any case, had remained in custody for about 7-1/2 months, although the maximum sentence that may be imposed is 3 years.

4. On the other hand, the learned State counsel has submitted that since the petitioner has been involved in three identical cases, no case for grant of bail is made out. The learned State counsel has, however, not disputed that the petitioner who is presently on interim bail has otherwise remained in custody for about 7-1/2 months.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and also while bearing in mind the maximum sentence that may be imposed for an offence under Section 138 of Electricity Act and also while noticing the custody period of the petitioner, the petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

25.11.2020

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No