

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

**CRM-M-12070-2020 (O&M)
Decided on : 08.05.2020**

Gulabdeen

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. T.S. Attariwala, Advocate
for the petitioner(s).

Mr. Saurav Mohunta, DAG, Haryana.

MANJARI NEHRU KAUL, J.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 581, dated 30.01.2020, under Sections 135, 138 and 150 of the Electricity Act, registered at Police Station Irrigation and Power, Karnal, District Karnal.

Learned counsel for the petitioner *inter alia* contends that the story put-forth in the FIR is a fabricated one and he has been falsely implicated in the FIR despite the fact that the electricity connection, which was found tampered was not even in his name, but in the name of one Rajesh. Hence, there was no evidence which could connect the petitioner with the alleged offence under Sections 135, 138 and 150 of the Electricity Act.

It has been further submitted that the petitioner has been behind the bars since 06th February, 2020. He has an ailing mother of 80 years of age and a minor child in his house and there is no body to look after his family in the prevailing conditions on account of the pandemic outbreak.

Learned State counsel on the other hand has vehemently

opposed the grant of concession of regular bail to the petitioner by urging that the petitioner does not deserve the concession of regular bail, as he is involved in other FIRs, pertaining to the theft of electricity. In the instant case also a loss of ₹ 18,140/- was caused to the UHBVNL due to the tampering of electricity meter done by the petitioner.

Heard.

Having considered the submissions made by either side, the petitioner has been behind bars admittedly since 06th February, 2020. Hence, no useful purpose would be served in keeping the petitioner behind bars as the trial is unlikely to conclude in the near future. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 08, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*