

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

205

CRM-M-18584-2020 (O&M)

Date of Order:19.08.2020

KULDEEP

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajesh Duhan, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

ANIL KSHETARPAL, J(Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for grant of bail pending trial in a criminal case arising from FIR No.33, dated 18.02.2020, registered under Section 379 IPC and Section 136 of the Electricity Act, 2003 (Section 411 IPC added later on), at Police Station Sadar Kaithal, District Kaithal.

In a nutshell, the case of the prosecution is that the officials of the Dakshin Haryana Bijli Vitran Nigam Ltd. had filed a complaint about theft of transformer oil. The petitioner is in custody since 28.02.2020.

Learned counsel for the petitioner draws attention of the Court to an order passed by a Coordinate Bench in CRM-M-17643 of 2020 (Kuldeep @ Vicky vs. State of Haryana) in case of a co-accused.

On the other hand, learned counsel appearing for the State has submitted that the transformer oil was recovered from the petitioner.

On conclusion of the investigation, the police report under Section 173 of the Code of Criminal Procedure has been filed, however, charges have not been framed.

The petitioner is in custody since 28.02.2020. The case is triable by learned Magistrate.

After having considered the arguments of learned counsel for the parties and without commenting on the merits of the case while keeping in view that the conclusion of the trial is likely to take time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly, the present petition is allowed with the aforesaid directions.

August 19, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No