

In virtual Court

CRM-M-36345-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-36345-2020 (O&M)  
Date of decision: 22.12.2020

Ramesh Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. H.K. Sammi, Advocate  
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of anticipatory bail in FIR No.5768 dated 02.10.2020 under Section 135 of Electricity Act, 2003, registered at Police Station Irrigation & Power, Jind, District Jind.

On 06.11.2020, following order was passed by this Court: -

*“...Learned counsel for the petitioner inter alia contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that as a matter of fact premises in question was let out by the petitioner alongwith machinery installed therein in favour of M/s Modern Hatchery through its partner Gurjit Singh, vide Rent Deed dated 17.02.2020 (Annexure P/2). He further urges*

*that though at the relevant time i.e. on 30.09.2020, petitioner was not actually occupying the premises in question, but even then he has filed Civil Suit challenging the Checking Report LL1 No.2386/32 dated 30.09.2020 and assessment (Annexure P/3) made by Electricity Department, wherein vide order dated 12.10.2020 (Annexure P/4), Civil Court has granted ad-interim relief in his favour subject to deposit of entire compounding charges as well as 50% of the penalty amount within next 45 days with the Electricity Department. He further urges that petitioner is making earnest efforts to deposit the abovesaid amount to the tune of Rs.20,12,980/- and the said amount shall be deposited with the Electricity Department latest by 26.11.2020 and in the meantime, interim relief may be extended in favour of the petitioner.*

*Notice of motion.*

*At the asking of Court, Mr. Vikrant Pamboo, DAG, Haryana, accepts notice on behalf of respondent-State and seeks time to furnish detailed reply. Complete copy of paper book be supplied to him during the course of the day.*

*Petitioner, as per his undertaking, is required to deposit the compounding charges as well as 50% of the penalty amount i.e. Rs.20,12,980/- with the Electricity Department by 26.11.2020.*

*Adjourned to 01.12.2020.*

*Meanwhile, no coercive steps shall be initiated against the petitioner in respect of instant case FIR....”*

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Learned counsel for the petitioner submits that in compliance of the order dated 06.11.2020, the petitioner has deposited the amount of Rs.20,12,980/-.

Learned State counsel, on the basis of affidavit of DSP, Vigilance and Haryana Power Utility Services, Hisar, has stated that an amount of Rs.20,12,980/- is deposited by the petitioner and the police has filed the cancellation report.

In view of the above, this petition is allowed and the order dated 06.11.2020 passed by this Court is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

**[ ARVIND SINGH SANGWAN ]  
JUDGE**

22.12.2020  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No