

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

205

**CRM-M NO. 36989 of 2020
Date of decision : 23.12.2020**

Suchha

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Gurmail Singh Duhan, Advocate
for the petitioner.

Mr. Dhruv Sheoran, DAG, Haryana
for respondent-State.

HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID-19.

This is a petition filed under Section 439 Cr.P.C. for grant of bail in case FIR No. 203 dated 23.9.2020 registered under Section 379 IPC and Sections 136/137 of the Electricity Act at Police Station Siwan, District Kaithal.

The FIR was registered on the complaint of SDO, Uttar Haryana Bijli Vitran Nigam, Siwan, who alleged that on the night of 05.08.2020 some unknown person had committed theft of 140 ltrs. Oil of transformer i.e. 63 KVAT/F in the name of Maan Singh of village Rasoolpur.

The case of the prosecution is that petitioner along with co-accused Ajaib Singh, Sandeep and Vikram were apprehended by the Police on 05.10.2020 on suspicion while they were travelling in Indigo car. The car

was searched and two plastic containers containing 40 ltrs each of transformer oil was recovered. Further, the case of the prosecution is that another 30 litres of transformer oil was recovered on the disclosure of the petitioner.

Learned counsel for the petitioner states that the transformer oil allegedly recovered from the petitioner is not the oil which was stolen from the transformer of Maan Singh. The petitioner is in custody since 05.10.2020. No useful purpose will be served by keeping the petitioner behind the bars.

On the other hand, learned State counsel states that the investigation in this case is complete and challan has been filed.

Without commenting anything on the merits of the case and also bearing in mind the custody period of the petitioner and also the fact that the trial of the case is not making any headway due to COVID-19 pandemic, this criminal miscellaneous petition is allowed and the petitioner- Suchha is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

23.12.2020

Rajeev (rvs)

**(HARINDER SINGH SIDHU)
JUDGE**

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