

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

202

CRM-M-729-2020

Date of Decision: 28.06.2021

Satish

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Ms. Sheenu Sura, DAG, Haryana
assisted by SI Ranvir Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner, who is a contractor undertaking job work of Electricity Department, Haryana, has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.372 dated 24.12.2019 at Police Station Israna, District Panipat, under Section 379 IPC.
2. The FIR reads as follows:

“Subject: Lodging of FIR for theft of material from
33 KV S/Stn.Israna premises.

Ref: This office memo No.12048 dated 21.12.19.

In this connection, it has come to the notice of undersigned that 33KV XLPE Spare Cables of various sizes lying in 33 KV S/Stn. Israna premises have been stolen. It is apprehended that the Cables were got lifted/stolen by Sh. Satish Parjapat Contractor

(9991341100). Representation of Incharge, 33 KV S/Stn. Israna Sh. Satyawar SSA which is self explanatory is attached for ready reference. It is therefore requested to kindly investigate the matter and lodge necessary FIR in this regard at the earliest and supply a copy of FIR to this office so that further necessary action be taken at the earliest please.”

3. Learned counsel for the petitioner submits that it is in fact a case where certain officials of the Electricity Department themselves had shifted certain cables, which fact had been highlighted by the petitioner in his application dated 23.12.2019 (Annexure P-3) and as a counter-blast, the instant FIR came to be lodged against the petitioner at the instance of the Electricity Department.
4. Learned State counsel upon instructions from SI Ranvir Singh has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that he is not involved in any other case. It has also been informed that an enquiry has already been initiated against an official of the Electricity Department namely Satyawar, SSA.
5. Having regard to the aforesaid position wherein the role of certain officials of the Electricity Department is also being enquired into and while also bearing in mind that the petitioner has already joined investigation and is not wanted in any other case, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 10.01.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when

called upon to do so and cooperate with the Investigating Officer
and shall also abide by the conditions as provided under Section
438 (2) Cr.P.C.

28.06.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**