

CRM-M-7428-2021

Date of Decision: 01.04.2021

JARNAIL SINGH

... PETITIONER

VS.

STATE OF PUNJAB AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.Avtar S. Khinda, Advocate, for the petitioner.

Mr. Amit Mehta, Sr. Deputy Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

On 17.02.2021, following order was passed:

“Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 1034 dated 21.12.2020, under Section 135 of the Electricity Act, 2003, registered at Police Station Anti Power Theft Jalandhar, District Jalandhar.

Learned counsel for the petitioner contends that it is alleged that the petitioner was drawing electricity from the meter installed by a factory for urban supply. He, however, contends that the petitioner has a separate tube-well connection and is drawing electricity from that. He also contends that the petitioner is 60 years of age and is not involved in any other criminal case.

Issue notice to the respondents.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of respondent No. 1 – State.

List on 01.04.2021.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

It has been stated by learned counsel for the petitioner that in pursuance of the interim directions issued by this Court on 17.02.2021, the petitioner has joined the investigation and nothing has to be recovered from him.

Learned State counsel, on instructions from ASI Manoj Kumar, has not disputed the aforesaid fact(s).

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted to the petitioner by this Court vide order dated 17.02.2021 is made absolute.

The petition stands allowed.

01.04.2021
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No