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

**CRM-M No.18638 of 2021(O&M)
Date of Decision: 21.05.2021**

Rajender Singh

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Vijay Sangwan, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.28 dated 20.02.2021 registered under Sections 186, 332, 353, 427, 506, 201 IPC (Section 333 IPC added later on) and Section 135 of the Electricity Act, 2003 at Police Station Sadar Tohana, District Fatehabad.

As per allegations, 7 persons of Electricity Department raided the premises of the petitioner on the plea of misusing the electricity by the petitioner and his family members. It was found

that the petitioner was involved in theft of electricity and he inflicted injuries with danda to Vaid Parkash (SDO) and Suresh (Lineman), besides breaking the mobile phone of the complainant.

Learned counsel for the petitioner submits that in fact 7 persons from the electricity department gave beatings to the petitioner and also misbehaved with his mother and wife. He was alone as against 7 male members of the electricity department. The mother of the petitioner filed a complaint dated 21.02.2021 before SHO, Police Station Sadar Tohana for taking action against 7 persons including Vaid Parkash (SDO), Sandeep and Suresh (JE). In fact, the raiding party forcibly entered the area of Atta Chakki, which was being operated through engine of the tractor. The entire village community has also filed a detailed complaint dated 21.02.2021 before SHO, Police Station Sadar Tohana in respect of false implication of the petitioner. Injury No.1 found on the person of Suresh Kumar (JE) has been declared as grievous in nature and Section 333 IPC has been added.

Only danda and wire for committing theft have been recovered from the petitioner. Petitioner is in custody since 12.03.2021. Challan has been presented on 06.05.2021. The complicity of the petitioner would be dependent upon quality of

evidence to be led by the prosecution. The grievous injury is on the index figure of Suresh Kumar (JE), which is on the non-vital part of the body.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic and without advertent to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

(RAJ MOHAN SINGH)
JUDGE

21.05.2021

Prince

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No