

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

CRM-M-5341 of 2022

Date of Decision: 19.05.2022

Rakesh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Suresh Kumar, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

HARINDER SINGH SIDHU, J

Prayer is for grant of anticipatory bail in case FIR No.0054 dated 24.03.2021 under Sections 379 IPC and Section 136 of Electricity Act, 2003 registered at P.S Titram, District Kaithal.

As per allegations in the FIR, one Gurdev Singh informed the Sub Divisional Officer, UHBVN, Sub Division-2, Kaithal that some unknown persons have stolen some articles from his 20 KVA transformer. The articles stolen were (i) HT Coil-3X600018000, LT Coil 3X6000 18000 and TF OIL 40 Ltr 120 4800, the value of which is about Rs.40800/-.

It is the case of prosecution that during investigation, in another case FIR No.114 dated 03.06.2021 under Section 136 of the Electricity Act, accused Sohan Lal made a disclosure statement admitting his involvement in that case. He disclosed that they used to sell stolen articles to the petitioner. During investigation of the present case, Sohan Lal @ Sonu and Bunt Bhaya, who were detained in some other cases, were joined

in investigation after getting issued their production warrants. They disclosed

their involvement in the present case besides stating that they used to sell stolen articles to the petitioner, who is a scrap dealer. Both of them disclosed that the articles stolen in the present case were sold to the petitioner for a sum of Rs.9000/-.

In his disclosure statement, co-accused Banti stated that he along with his co-accused used to steal copper wire and other parts from the Transformers lying in the office of the Electricity Board and used to sell the same to the petitioner, who is a scrap dealer. He also disclosed that the theft was committed on motorcycle. When the stolen material could not be loaded on the motorcycle, they used to call the petitioner, who had a tempo, which was used to carry the material. He disclosed that they used to sell the copper coil of Transformer at Rs.300/- per kg and a transformer would be sold at Rs.10,000/- to the petitioner.

In the reply filed on behalf of the respondent-State of Haryana, it is stated that the petitioner is involved in 39 other criminal cases. There is sufficient incriminating material on record to indicate that the petitioner used to purchase the stolen articles from his co-accused. Sometimes, he used to lift the same from the spot in his vehicle.

Taking into consideration the seriousness of allegation, no ground is made out for grant of anticipatory bail.

Dismissed.

May 19, 2022
manoj

(Harinder Singh Sidhu)
Judge