

CRM-M-11392-2022

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

CRM-M-11392-2022

Date of decision:26.08.2022

Narender

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Parvesh Jaglan, Advocate,
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.296 dated 26.09.2020, registered at Police Station Uchana, District Jind, under Section 379 IPC and Section 136 of the Electricity Act.

Learned counsel for the petitioner submits that initially, the FIR was registered against the petitioner, but thereafter, an untrace report was filed by the prosecution on 23.01.2021; that the petitioner has been indicted in the present case on the basis of the disclosure statement of co-accused made in another FIR No.227 dated 06.10.2020; that the petitioner has been in custody since 02.09.2021, and that the petitioner having similar allegations in FIR No.295 dated 26.09.2020, under Section 379 IPC and Section 136 of the Electricity Act, Police Station Uchana, has since been granted the concession of regular bail by the Coordinate Bench, vide order dated 03.08.2022 passed in CRM-M-10789-2022.

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On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner is a habitual offender and there are other cases of similar nature, registered or pending against him and that recovery of Rs.1,000, which is stated to be the sale proceeds of stolen coil, had been effected from the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 02.09.2021. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Moreover as stated above, the petitioner having similar allegations in FIR No.295 dated 26.09.2020, under Section 379 IPC and Section 136 of the Electricity Act, Police Station Uchana, has since been granted the concession of regular bail by the Coordinate Bench, vide order dated 03.08.2022 passed in CRM-M-10789-2022. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

26.08.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No