

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CRM -M -28773-2021 (O&M)

Date of Decision : February 10, 2022

Lekhpal Singh

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ganesh Chand Sharma, Advocate, for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

CRM-30078-2021

Present application has been filed for placing on record the replication to the reply filed by the respondent-State of Haryana.

Keeping in view the averments made in the application, the same is allowed and replication to the reply is taken on record.

CRM -M -28773-2021

The petitioner is seeking anticipatory bail in FIR No. 3226 dated 22.09.2020 registered under Sections 135 and 151 of the Indian Electricity (Supply) Act, 2003 at Police Station I&P Faridabad, District Faridabad.

Learned counsel for the petitioner contends that the arrest of the petitioner was stayed vide order dated 26.07.2021 and the petitioner has joined investigation in terms of order passed by the Coordinate Bench of this Court dated 06.01.2022. Order dated 06.01.2022 is as under:-

“Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 3226 dated 22.09.2020, under Sections 135 and 151 of the Indian Electricity (Supply) Act, 2003, registered at Police Station I&P Faridabad, District Faridabad.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and it is alleged therein that co-accused, namely, Budhpal Singh has committed theft of electricity.

List on 10.02.2022.

In the meantime, petitioner is directed to appear before the Investigating Officer and join investigation.

In the event of his arrest, the Investigating Officer/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Rajinder Singh, states that in terms of the order of the Coordinate Bench of this Court reproduced before, the petitioner has joined the investigation and no further interrogation of the petitioner is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 06.01.2022 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they shall be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

February 10, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No