

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

213

CRM-M-49225-2022
Date of Decision: 31.10.2022

Ajay

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Rajesh Duhan, Advocate
for the petitioner.

Mr. Himmat Singh, D.A.G., Haryana
for the respondent-State.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.483 dated 23.12.2016 registered under Section 136 of the Electricity Act at Police Station Indri, District Karnal.

The above-said FIR was registered on a complaint made by complainant-SDO, UHBVN.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The petitioner is not named in the FIR. The petitioner has nothing to do with the alleged crime. The petitioner is in custody since 28.03.2022. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be released on regular bail.

Per contra, learned State counsel opposed the present

petition on the ground that the petitioner along with co-accused Banti had committed theft of electricity wire of transformer ACSR and SWG of Electricity Department from the field of Rishali Devi, Village Manoharpur, District Karnal. Earlier, the petitioner was already granted bail by the trial Court, however, the petitioner misused the concession of bail and did not appear before the trial Court. Resultantly, he was declared proclaimed offender by the trial Court. Most of the prosecution witnesses have been examined so far and the trial is likely to conclude very soon.

I have heard learned counsel for the petitioner as well as the learned State counsel and gone through the paperbook.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner, the facts that earlier the petitioner had misused the concession of bail and declared proclaimed offender by the trial Court and also the fact that most of the prosecution witnesses have already been examined and the trial is likely to conclude very soon, I am of the considered view that the petitioner does not deserve the concession of regular bail.

In view of the above, the present petition is dismissed.

31.10.2022
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No