

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-57640-2022

DATE OF DECISION: DECEMBER 14, 2022

MANISH KUMAR @ MOTA

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA.

PRESENT: MR. MANOJ PUNDIR, ADVOCATE FOR THE PETITIONER.
MR. BHUPENDER SINGH, DAG, HARYANA.

DEEPAK MANCHANDA, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.136 dated 18.4.2022, under Section 136 of the Electricity Act, 2003 (Section 411 IPC added later on) (charges framed under Section 136, 137 of the Electricity Act), Police Station Mullana, District Ambala.

On the basis of complaint made by SDO, UHBVNL Sadhaura regarding theft of coil of 25 KVA T/F SOP by some unknown persons on the intervening night of 14/15.4.2022, the present FIR was registered.

Learned counsel for the petitioner has argued that the petitioner has not been named in the FIR and has been implicated on the basis of disclosure statement of co-accused. He further submits that the petitioner is in custody since his arrest on 18.5.2022 and the challan stands filed and the charges have also been framed on 16.9.2022. He prays that the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Krishan Pal has opposed the aforesaid prayer. However, he has not disputed that the challan stands filed and charges have also been framed.

Considering the above background, the custody of the petitioner and the fact that charges have already been framed, but the trial would take considerable time to conclude, further detention of the petitioner may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

December 14, 2022
Gulati

(DEEPAK MANCHANDA)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No