

SHIVAM @ MANGA RAM

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Mr. Ranvir Singh Arya, Addl. AG, Haryana.

VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been circulated today and the same is taken on record.

Shivam @ Manga Ram-petitioner is seeking regular bail in the case bearing FIR No.109 dated 05.04.2022 under Section 136 of the Electricity Act, 2006 registered at Police Station Ismailabad, District Kurukshetra.

Learned counsel for the petitioner contends that the FIR has been registered on the allegation with regard to the theft of the articles belonging to the Uttar Haryana Bijli Vitran Nigam. As per the allegations, 35 Kgs of aluminum wire has been recovered from the petitioner. The petitioner is in custody for a period of 05 months and 05 days. The custodial interrogation of the petitioner is over, investigation of the case is complete, challan has been presented and the conclusion of trial is likely to take sometime.

Learned State counsel has opposed the bail application on the score that the petitioner is involved in 05 other cases.

Faced with this situation, learned counsel for the petitioner contends that the petitioner is on bail in other cases and other cases pertaining to the theft

and no recovery has been effected from him in those cases.

Keeping in view the fact that the petitioner is in custody for a period of 05 months and 05 days, the investigation of the case is complete, challan has been presented and the conclusion of trial is likely to take sometime, no fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

20.02.2023
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(VIVEK PURI)
JUDGE

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