

224 2023:PHHC:051365
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 13.04.2023

1. CRM-M-13823-2023

SANDEEP **.. PETITIONER**

V/S

STATE OF HARYANA ... RESPONDENT

2. CRM-M-16022-2023

VIKRAM KUMAR ... PETITIONER

V/S

STATE OF HARYANA ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Navneet Singh, Advocate for the petitioner
in CRM-M-13823-2023.

Mr. Sahil Choudhary, Advocate for the petitioner
in CRM-M-16022-2023.

Mr. Surinder Kumar Dagar, DAG Haryana.

VIVEK PURI, J. (ORAL)

The petitioners are seeking regular bail in case bearing FIR No.

No.109 dated 05.04.2022 under Section 136 of the Electricity Act, 2006

registered at Police Station Ismailabad, District Kurukshetra.

Custody certificates have been taken on record.

Learned counsel for the petitioners contend that the FIR has

been registered on the allegations with regard to the theft of articles

belonging to Uttar Haryana Bijli Vitaran Nigam. As per the allegations, 37 Kg 500 gms of aluminum wire has been recovered from the petitioners and the co-accused. The petitioners are in custody for a period of 06 months and 28 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 some time. Furthermore, similarly placed co-accused Shivam @ Manga Ram has been granted bail in terms of the order dated 20.02.2023 passed in CRM-M-3522-2023.

Learned State counsel has opposed the bail applications on the score that the petitioners are involved in 04 other cases.

Faced with this situation, learned counsel for the petitioners contend that the petitioners are on bail in other cases and other cases pertaining to the theft have been registered on the basis of the disclosure statement of the co-accused.

Keeping in view the fact that the petitioners are in custody for a period of 06 months and 28 days, the investigation of the case is complete, challan has been presented, the co-accused has been released on bail and the conclusion of trial is likely to take sometime, no fruitful purpose will be served by detaining the petitioners 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 petitions are allowed. The petitioners ordered to be released on bail

on their furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petitions are allowed accordingly.

13.04.2023

Manoj

(VIVEK PURI)
JUDGE

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