

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

Neutral Citation No. **2024:PHHC:023449**
CRM-M-30698-2023
Date of Decision: February 20, 2024

Dharminder Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Arjun Veer Sharma, Advocate for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

Ms. Mahima Dogra, Advocate for the complainant.

DEEPAK GUPTA, J.(Oral)

On 16.06.2023, following order was passed:-

“The present petition has been filed under Section 438 of the Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.349, dated 12.04.2023 under Section 135 of Electricity Act, 2003 registered at Police Station Anti Power Theft, District Ludhiana.

Learned counsel for the petitioner inter alia contends that the petitioner was initially granted concession of interim bail by the Addl. Sessions Judge, Ludhiana, however, subsequently, the same was dismissed on the averment made by the Investigating Officer that the petitioner was not cooperating in the investigation of the present case. He further submits that the petitioner has extended all necessary cooperation to the Investigating Agency as and when called for. However, the issue being technical in nature, there is no occasion for the petitioner to extend any other kind of cooperation with the Investigating Agency.

Notice of motion.

Mr. S.S. Aulakh, AAG, Punjab accepts notice on behalf of the respondent-State and prays for some time to complete instructions.

On request, adjourned to 13.09.2023.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of the petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on his furnishing bail/surety bonds to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. ”

2. It was informed on 09.02.2024 by learned counsel for the petitioner that petitioner was ready to make payment at least 50% of the due amount of ₹3,59,650/-.

3. Today, learned counsel for the petitioner has placed on record the copy of the e-receipt issued by the complainant-PSPCL, showing the deposit of ₹1,80,000/- on 19.02.2024.

4. The factum of said deposit is conceded by learned counsel for the complainant-PSPCL.

5. On instructions from S.I. Narender, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 16.06.2023 and is no longer required for further investigation.

6. In view of the aforesaid circumstances, the order dated 16.06.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

February 20, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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