



CRM-M-30800-2024

-1-

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

242

CRM-M-30800-2024

Date of Decision : July 04, 2024

NISHA

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 439 Cr.P.C. the petitioner prays for grant of regular bail in case FIR No.155 dated 28.05.2024 Under Sections 380, 454, 511 IPC, and in later on added offence under Section 136 of Electricity Act, 2003 registered at Police Station Baldev Nagar, District Ambala.
2. The allegations against the petitioner are that she along with other co-accused entered into the office of S.E. Uttri Haryana Bijli Nigam Ambala and tried to steal the aluminum wires.
3. Learned counsel for the petitioner in the asking for the relief would submit that the petitioner has been falsely implicated and that too only on the disclosure statement of co-accused and she is behind bars since 08.06.2024. Learned counsel for the petitioner further submits that though in the order dated 14.06.2024 passed by the learned Additional

**CRM-M-30800-2024****-2-**

Sessions Judge, Ambala while declining the regular bail, it has been recorded that the petitioner is involved in two more cases, however, infact she is not involved in any other criminal case.

4. The learned State counsel on the other hand has placed on record the custody certificate and opposed the grant of bail to the petitioner. He submits that the petitioner and other co-accused has dared to enter in the S.E. Office in broad day light and try to steal the aluminum wire. He further submits that the case is at investigation stage. The custody certificate which has been filed by the learned State counsel reflects that the petitioner has suffered incarceration of 25 days as on today and she is not involved in any other criminal case.

5. Considering the allegations and the evidence against the petitioner and the period of incarceration suffered by her and considering the fact that the case is at investigation stage, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.

6. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

8. It is further made clear that in future the petitioner is found involved in similar kind of offence, the State is at liberty to file an



CRM-M-30800-2024

-3-

appropriate application seeking cancellation of bail granted to the petitioner.

July 04, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No