



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

104

CRM-M-49508-2024
Date of decision: 03.10.2024

Ajay @ Baba

....Petitioner

V/s

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 of the Cr.P.C. in case FIR No.0030 dated 11.03.2023 under Section 136 of the Electricity Act, 2003, registered at Police Station Jakhal, District Fatehabad.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case concerning alleged electricity theft. While drawing the attention of this Court to the FIR, annexed as Annexure P-1, learned counsel submits that a bare perusal of the same indicates that the petitioner was neither named nor assigned any role therein. It is further submitted that the petitioner's name surfaced solely based on the disclosure statement of a co-accused, the evidentiary value of which is inherently weak. Learned counsel still further submits that the



petitioner was initially granted interim anticipatory bail by the learned trial Court. However, the said bail was later cancelled due to the petitioner's failure to join the investigation.

3. Per contra learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. Learned State counsel has apprised this Court that the petitioner is a habitual offender; he has been previously involved in commission of such like offences as he is booked in two more cases of similar nature under the Electricity Act. Learned State counsel has still further submitted that the petitioner has clearly misused the concession of bail in other cases having again indulged in similar like offences. Learned State counsel has further apprised this Court, on instructions, that the petitioner had failed to join investigation despite being extended the concession of interim bail by the learned trial Court.

4. I have heard learned counsel for the parties and have perused the relevant material placed on record.

5. Admittedly petitioner is involved in two other cases of a similar nature concerning theft of electricity. Moreover, on a previous occasion, despite being granted interim bail by the learned Trial Court, the petitioner failed to join the investigation.

6. In light of the petitioner's previous criminal antecedents, this Court does not find it appropriate to extend the extraordinary relief of



anticipatory bail to him, moreso when he committed the crime in question while being on bail in the other criminal cases pending against him.

7. Accordingly, the instant petition is dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)

JUDGE

October 03, 2024

poonam

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