



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

CRM-M-10744-2026

Date of decision: 06.04.2026

RAVINDER PAL SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Lalit Sharma, Advocate for the petitioner.

Mr. Amit Shukla, DAG Punjab.

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RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail to the petitioner in FIR No.397 dated 03.09.2025 registered under Section 135 of Electricity Act, 2003 registered at Police Station Anti Power Theft, District Ludhiana.

2. Brief facts of the present case are that, the petitioner has committed theft of electricity. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He submits that the FIR in the present Case is concocted as the petitioner was not present at his shop when the inspection of the meter was carried out by the Assistant Executive Engineer. He submits that in his absence 3-4 persons made videography by illegally connecting a



wire near his shop. He submits that the petitioner was granted concession of anticipatory bail by the learned Trial Court with the condition to deposit 50% of the disputed assessment amount. He submits that, however, the aforesaid condition could not be complied with as the order of the learned Trial Court was passed arbitrarily. He submits that the present is a civil dispute which has been given criminal colour. Learned counsel further submits that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency. Therefore, it is urged that the petition deserves to be allowed.

4. The status report has already been filed by the learned State counsel, who, relying upon the same, has vehemently opposed the petitioner's prayer for bail. It is submitted that the offence allegedly committed by the petitioner is serious in nature. The learned counsel further contends that there are direct and specific allegations of theft against the petitioner. The petitioner had earlier filed a petition for anticipatory bail before this Court and the same was dismissed as withdrawn vide order dated 18.02.2026 and now, the petitioner has again approached this Hon'ble Court without any change in the circumstances. He further submits that custodial interrogation of the petitioner is essential to recover the tools and wiring used in the theft of electricity and to know the modus operandi of the crime. On these grounds, the learned State counsel has prayed for dismissal of the present petition.

5. Heard.

6. The allegations levelled against the petitioner are grave and disclose a prima facie case, wherein the petitioner, having been involved in

theft of electricity was given concession of anticipatory bail by the learned Trial Court with the condition to deposit the 50% disputed assessment amount. However, the petitioner failed to comply with the aforesaid condition. Further, the tools and wiring so used for commission of the theft are yet to be recovered by the investigating agency. Moreover, the petitioner has filed the present petition without there being any change in circumstances since dismissal of earlier petition. While considering the plea for grant of anticipatory bail, this Court is required to consider the overall nature of offence and accusations against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection to the petitioner, at this stage. Granting anticipatory bail to the petitioner with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

7. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '***State Vs. Anil Sharma***', (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

8. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.

9. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

06.04.2026
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(RUPINDERJIT CHAHAL)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |