



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-17481-2026
Decided on : 05.05.2026

SATISH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Kartik Mittal, Advocate,
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Satish	11	10.01.2024	136 of Electricity Act, 2003 and [sections 201/34 of IPC (corresponding to section 238 and 3(5) of BNS) added later on]	Dharuhera	Rewari

2. Case of the prosecution, in brief, is that on 10.01.2024, a letter bearing endorsement No.821 dated 08.01.2024, issued by Sh.



Ashish Mittal, SDO, DHBVNL, Jonawas, was received at Police Station Dharuhera, Rewari, through post. In the said letter, a request was made to the SHO for registration of an FIR against unknown persons.

It was further stated that Sh. Pohap Singh, JE, had informed the SDO that during the night of 29.12.2023, a 16 KVA transformer had been stolen from the village Jonawas. On the morning of 30.12.2023, Ajit, Lineman, reported that the transformer had fallen from the pole and its oil had been spilled. Upon inspection of the spot, it was found that the transformer had indeed fallen from the pole and that its oil and rod had been stolen, resulting in a loss of Rs. 56,325/- to the Nigam.

3. Learned counsel for the petitioner submits that petitioner was not named in the FIR and has been implicated solely on the basis of the disclosure statement of co-accused Gaurav, who has already been granted bail by the learned Sessions Court, Rewari, vide order dated 16.09.2024 (Annexure P-2).

It is further argued that disclosure statement, in itself, constitutes weak evidence and cannot be relied upon in the absence of any independent corroborative material against the petitioner.

4. Counsel also submits that petitioner is in judicial custody since 20.11.2025, i.e., for a period of approximately 5 months and 15 days. Offences in question are triable by the Court of learned Magistrate. Investigation in the present case stands completed, *challan* has already been presented, and charges have been framed. Conclusion of the trial is likely to take a considerable period of time.



Thus, it is prayed that petitioner be granted the concession of regular bail in the present case.

5. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 04.05.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 05 months and 15 days period inside jail.

6. Learned State counsel, while opposing the prayer and submissions advanced by learned counsel for the petitioner, submits that petitioner is a habitual offender, being involved in multiple criminal cases. It is contended that he has already been convicted in eleven cases, while five other cases are still pending trial against him. In view of his criminal antecedents, it is argued that petitioner does not deserve the concession of regular bail in the present case.

7. This Court has heard the submissions advanced by learned counsel for the parties and has perused the record available on file.

8. In the present case, Investigating Officer initially recovered the mobile phone of the main accused-Gaurav. Upon examination of the said mobile phone, it was revealed that petitioner was in contact with him. On that basis, and primarily relying upon the disclosure statement of co-accused Gaurav, petitioner was implicated and subsequently arrested in the present case. Whether such material is sufficient to substantiate the charges against the petitioner is a matter to be adjudicated by learned trial



Court upon appreciation of the complete evidence led before it. Merely on the ground that petitioner is involved in other cases, his continued incarceration for an indefinite period is not warranted.

9. In view of the totality of the circumstances, nature of the allegations levelled against the petitioner, and the factors noticed here above, this Court deems it appropriate to grant the concession of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

05.05.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO