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

CRM-M-34076-2026

Date of decision: 23.06.2026

Manav

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Sarvesh Malik, Advocate
for the petitioner.

Mr. Raj Partap Singh Brar, Asstt.A.G., Haryana.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 439 Cr.P.C.) seeking regular bail in case bearing FIR No.105 dated 28.05.2026 under Section 136 of the Electricity Act, 2003 (Section 3(5) of BNS added later on) (erstwhile Section 34 of IPC) registered at Police Station Lakhan Majra, District Rohtak (Annexure P-1).

2. Brief facts of the case are that on the night of 24.05.2026, the line staff received information from substation regarding a breakdown of the 11 KV Bainsi AP Line. It is further alleged that upon inspecting the site, the line staff found that the ACSR conductor had been stolen from the said 11 KV Bainsi AP Line on Kharanti Road. Thereafter, the Electricity Department informed the police through Dial 112 and on receipt of information, the police reached the spot and inspected the place of occurrence and thus, the present FIR was got registered.

3. Learned counsel for the petitioner *inter alia* contends that the

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petitioner is not named in the FIR (*supra*) and was only implicated in the present case on the basis of disclosure statement made by co-accused while he was in custody which has no evidentiary value in the eyes of law. The petitioner does not have any criminal antecedents. Moreover, no recovery is required to be effected from the petitioner. Further, Sub Section 2 of Section 136 of the Electricity Act is not attracted in the present case as the petitioner can only be punished for a maximum period of three years and the case is triable by Magistrate. The petitioner is behind the bars since 31.05.2026 and the trial of the case is likely to take long time.

4. *Per contra*, the learned State counsel opposes the grant of regular bail to the petitioner on the ground that the petitioner's complicity is duly established during the investigation and as such, the petitioner is not entitled to any relief. Further, the petitioner has purchased the stolen property.

5. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the petitioner is not named in the FIR (*supra*) and he has been nominated on the basis of disclosure statement made by co-accused who has committed the theft of electricity wires and further, the case is triable by Magistrate. The petitioner is behind the bars since 31.05.2026. Investigation is complete. The final report under Section 193 of Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 173 of Cr.P.C.) was presented before the concerned Court and trial of the case has not made much progress. The culpability, if any, would be determined at the time of trial. No useful purpose shall be served by further detention of the accused/petitioner. Keeping the petitioner in further detention without the prospect of the trial

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being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India.

6. In view the above, the present petition is allowed. Thus, without commenting upon the merits of the case lest it may prejudice the outcome of the trial, the petitioner-Manav is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

7. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

23.06.2026*Neha*

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