



CRM-M-62111-2024

1

**IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH****CRM-M-62111-2024 (O&M)****Date of decision : 5.2.2025**

Rohit

... Petitioner

VERSUS

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Ashok K. Sharma Bhana, Advocate with  
Ms. Suman Sharma, Advocate,  
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

\*\*\*\*\*

**KARAMJIT SINGH, J. (Oral)**

Prayer in the present petition is for grant of regular bail to the petitioner in case having FIR No.372 dated 10.8.2023 registered under Sections 136 of Electricity Act, 2003 and Sections 380, 458, 395, 459 IPC at Police Station Agroha, District Hisar.

2. As per allegations recorded in the FIR, some unknown persons committed theft of ₹ 40,000/- cash, electric transformer and 35 bottles of mustard oil from the factory premises belonging to the complainant on the night intervening between 9/10 of August, 2023. Subsequently, the petitioner was arrested on 26.4.2024 and cash worth ₹ 6,000/- was recovered from his possession.

3. Counsel for the petitioner, *inter alia*, submits that FIR in this case was registered against unknown persons who committed theft during



CRM-M-62111-2024

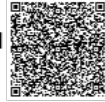
2

night time and subsequently, the present petitioner was nominated as accused on the basis of the disclosure statement suffered by co-accused Vikas @ Pinda. Resultantly, the petitioner was also arrested but no incriminating article was recovered from possession of the petitioner who is incarcerated for the last more than 9 months and that it will take time for the trial to conclude; that in the given circumstances, no purpose is going to be served by prolonging judicial custody of the petitioner.

4. Present petition is resisted by the State counsel who submits that during investigation, name of the petitioner surfaced in the disclosure statement suffered by co-accused and thereafter, the petitioner was arrested and cash worth ₹ 6,000/- was recovered from his possession. State counsel further apprised the Court that the petitioner is in custody for the last more than 9 months and till date, prosecution is unable to examine any witness out of total 17 witnesses.

5. I have considered the submissions made by the counsel for the parties.

6. The veracity, admissibility and relevance of the disclosure statement, if any, suffered by co-accused against the present petitioner, on the basis of which, the petitioner was nominated as accused, will be tested during trial. It is also matter of trial as to whether cash recovered from possession of the present petitioner is related to the incident of theft in question. The petitioner is in custody for the last more than 9 months and it will take time for the trial to terminate. Thus, detention of the petitioner in judicial custody for any longer period is not going to serve any purpose even



CRM-M-62111-2024

3

if the petitioner is involved in some other cases as are detailed in his custody certificate.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**( KARAMJIT SINGH )**  
**JUDGE**

February 5, 2025  
Paritosh Kumar

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