

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

CRM-M-17268 of 2015

Date of decision : 06.07.2015

Amritpal Singh @ Amrit

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Sudarshan Goel, Advocate
and Ms. Rupinder Kaur, Advocate
for the petitioner.

Mr. Jashanpreet, AAG, Punjab.

DARSHAN SINGH,J(Oral)

1. This is the second petition filed by petitioner Amritpal Singh @ Amrit for grant of the regular bail in case FIR No. 489 dated 23.12.2014, for offence under Sections 379, 411, 467, 468, 471, 472, 420 of Indian Penal Code, registered at Police Station Civil Lines, Amritsar City.

2. As per the prosecution allegations, a secret information was received that co-accused Tejinder Singh @ Marru, Surjit Singh, Shiv Pandit Shukla, Simranjit Singh @ Simarand Vipin Kumar @ Vipan have formed a group for stealing the vehicles and they in connivance with HC Rashpal Singh, the present petitioner Amritpal Singh @ Amrit prepare fake registration certificates, documents and after affixing the fake number plates are doing the business of selling the stolen vehicles from other states. The present petitioner was arrested on 24.12.2014. Hence, this petition.

3. Learned counsel for the petitioner contended that petitioner has been falsely implicated in this case. As per the statements of the witnesses recorded under Section 161 Cr.P.C by the police there is not a single eye witness to any allegations attributed to the petitioner. So, there is no chance of the petitioner having any involvement in the present occurrence. He further contended that he has no nexus with the other co-accused mentioned in the challan. He was not even assigned the job of preparing the registration papers for the private vehicles. So, he could have no access to the said record. He further contended that petitioner is in custody for the last more than six months and has already been remanded to judicial custody. Meaning thereby he is no longer required for the purpose of investigation. He contended that bail is a rule and jail is an exception.

4. On the other hand learned State counsel pleaded that there are grave allegations against the petitioner. He was the member of the gang indulging in the theft of the vehicles from the other States and then to sell those stolen vehicles by preparing fake documents and number plates. He was posted as a clerk in the office of District Transport Officer and has taken the benefit of his official status. Three stolen vehicles, the record of the District Transport Officer and fake documents have been recovered from his possession. Thus, learned State counsel pleaded that he does not deserves the concession of bail.

5. I have duly considered the aforesaid contentions.

6. These facts are not disputed that the petitioner is in custody for the last more than six months. He has already been remanded to

judicial custody and the case is triable by the Magistrate Ist Class. But, in order to consider the plea of the bail, the Court is duty bound to consider the nature and gravity of the accusations and exact role attributed to the accused in commission of the offence.

7. In the instant case, as per the prosecution allegations the present petitioner was apprehended while coming in car no. PB-02-AC-4141. He could not produce any proof regarding the ownership of that car. On the basis of his disclosure statement two other cars with fake registration numbers were recovered. Further on the basis of the disclosure statement of this petitioner one register of the office of District Transport Officer, Amritsar with the stamp of District Transport Officer, one registration number of car and two fake number plates have been recovered. Total 37 stolen cars with fake number plates have been recovered in this case, which shows the large magnitude of the offence in which the petitioner was *prima facie* deeply indulged. He is also involved in case FIR No. 3 dated 02.01.2015, Police Station "B" Division, Amritsar, wherein also there are similar allegations and 26 stolen vehicles have been recovered.

8. Thus, keeping in view of my aforesaid discussion and the nature and gravity of the accusations and the role attributed to the petitioner, he does not deserves the concession of bail.

9. Consequently, the present petition has not merits and the same is hereby dismissed.

06.07.2015

s.khan

**(DARSHAN SINGH)
JUDGE**