

107

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

CRR No.4594 of 2015 (O&M)

Date of decision: December 17, 2015

Amardeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Karanjit Singh, Advocate
for the petitioner.

SABINA, J

Petitioner had faced trial in FIR No.66 dated 29.04.2007, under Sections 417, 465, 468 of Indian Penal Code, 1860 ('IPC' for short), registered at Police Station Ramdas.

Trial Court vide judgment/order dated 24.09.2014 ordered the conviction and sentence of the petitioner qua commission of offence punishable under Sections 465, 468 IPC. The conviction and sentence of the petitioner as ordered by the trial Court were upheld by the Appellate Court vide order dated 06.10.2015. Hence, the present petition by the petitioner.

Prosecution story, in brief, is that the petitioner was apprehended on the basis of secret information that he was in possession of stolen truck and had affixed a forged number plate as PB-02-2102. The truck was taken in

possession. During investigation, it transpired that the registration No.PB-02-2102 had, in fact, been allotted to a Maruti Car model 1989 in the name of Balraj Singh son of Gurmej Singh. After completion of investigation and necessary formalities, challan was presented against the petitioner.

Learned counsel for the petitioner has submitted that in fact, Maruti Car bearing No.PB-02-2102 had been purchased by the father of the petitioner and the number plate had been mistakenly affixed on the truck in question.

In the present case, secret information was received by the police that the petitioner was in possession of a stolen truck and was using the same by affixing a forged number plate. On the basis of he said secret information, on 29.04.2007 at about 4:20 PM, petitioner was apprehended and the truck driven by the petitioner was taken in possession. As per the report of the District Transport office, it transpired that the registration number affixed on the truck was, in fact, allotted to a Maruti Car model 1989. In order to prove its case, prosecution examined PW2 Assistant Sub Inspector Harpal Singh who had apprehended the petitioner with the truck in question. The statement of PW2 was duly corroborated by PW1 Harjinder Singh. As per PW4 Karnail Singh, he had sold the truck bearing registration No.PB-02-B-9561 to the petitioner

on 02.02.2006 along with relevant documents. Prosecution had also proved on record receipt exhibit PW2/C which was recovered from the possession of the petitioner. As per the said receipt/gate pass, the number of the truck was mentioned as PB-02-2102. The said receipt was proved on record by PW3 Bhupinder Singh. The said witness identified his own signatures on the receipt as well as the signatures of the petitioner. As per PW5, Rajinder Kaur, vehicle bearing No.PB-02-2102 pertained to Maruti Car model 1989 and it had been registered in the name of Balraj Singh son of Gurmej.

Thus, the prosecution has been successful in proving its case that the petitioner was using the truck in question by affixing a forged number plate.

The argument raised by the learned counsel for the petitioner that Maruti car had been purchased by the father of the petitioner was not proved on record before the trial Court. Thus, the Courts below had rightly ordered the conviction and sentence of the petitioner qua commission of offence punishable under Sections 465, 468 IPC.

No ground for interference is made out.

Dismissed.

**(SABINA)
JUDGE**

December 17, 2015
mahavir