

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-38154 of 2015 (O&M)
Date of Decision: 07.01.2016

Harjinder Singh @ Harry

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rahul Makkar, Advocate for
Mr. L.M. Gulati, Advocate for the petitioner.

Ms. Anmol Grewal, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.284 dated 5.8.2015 under sections 379, 411, 414, 467, 468, 471, 473, 120-B I.P.C registered at Police Station, A Division, District Amritsar.

Learned counsel for the parties have been heard.

Prosecution version is that on the basis of secret information the present petitioner along with two other co-accused namely Nishan Singh and Hardayal Singh were caught. Allegations are that the petitioner as also co-accused had formed a gang and were engaged in committing theft of vehicles at various places in the city of Amritsar and thereafter had adopted a *modus operandi* of changing the number plates as also tampering with the R.Cs. of the stolen vehicles and then selling the same. The petitioner was apprehended on the spot and a motor cycle was recovered from him.

Learned State counsel would oppose the present petition by stating that on the disclosure statement suffered by the petitioner as also the co-accused, a number of stolen motor cycles have been recovered. Counsel

would also submit that in the case of co-accused Nishan Singh, application under section 439 Cr.P.C seeking regular bail has been dismissed by this Court.

Having heard learned counsel for the parties at length, this Court is of the considered view that the petitioner is entitled to the benefit of regular bail. Petitioner has been in custody since 5.8.2015. Investigation in the case is complete and the challan was presented on 2.11.2015. State counsel would further inform the Court that charges are yet to be framed. The trial, as such, would take some time to conclude.

In so far as co-accused Nishan Singh is concerned, his petition seeking benefit of regular bail was permitted to be dismissed as withdrawn vide order dated 5.11.2015 passed in CRM No. M-33085 of 2015. It was not an order, whereby the petition was dismissed on merits.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Amritsar.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

07.01.2016

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