

S.No.202

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

CRM-M-3811 of 2019 (O&M)

Date of Decision:02.11.2019

Ramanpreet Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. B.B.S. Randhawa, Advocate
for the petitioner.
Mr. Harbir Sandhu, AAG, Punjab.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.277 dated 13.10.2018 registered under Sections 392/379-B/420/468/471/413/482 and 34 IPC at Police Station Division No.6, District Police Commissionerate, Jalandhar.

Learned counsel for the petitioner contends that the petitioner has been wrongly involved in this case. The petitioner has no concern, whatsoever, with any illegal activity of stealing the vehicle/property or selling the same. The petitioner is, in fact, employed as a driver in Hotel Maya, Jalandhar. The allegation against the petitioner is that the petitioner was found in possession of a motor-cycle which was carrying a fake registration number and which was a stolen property meant to be sold by the petitioner. However, undisputedly the said property had not even been sold by the petitioner to anybody. So far as the possession of the said motor-cycle is concerned, it is submitted by counsel for the petitioner that the said motor-cycle was parked at the residence of the present petitioner by his brother-in-law Lovepreet Singh. It is only Lovepreet Singh who could

explain qua the ownership of the said motor-cycle. It is also contended that the petiitoner is in custody since 13.10.2018. The charge has been framed in this case. Therefore, the petitioner is not required for any investigation purposes. It is also submitted that besides this case pertaining to this motor-cycle, there is no other case against the petitioner.

On the other hand, learned State Counsel, being instructed by HC Pritpal Singh, submits that the stolen property has been recovered from the premises of the petitioner. Therefore, the petitioner cannot claim that he was not in possession of the said motor-cycle. It is further submitted that there is one more case against the petitioner registered at a different Police Station. However, it is not disputed that the petitioner is in custody since 13.10.2018.

As response to the submissions of the learned State Counsel, learned counsel for the petitioner has submitted that the other case, referred to by the State Counsel; also pertains to the same motor-cycle. Besides these two cases pertaining to the same motor-cycle, there is no other case against the petitioner.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

November 02, 2019**renu****(RAJBIR SEHRAWAT)****JUDGE**

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No