

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

CRM-M-9982-2019
Date of decision:15.5.2019

GURDEEP SINGH@GUHLA

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Ranjan Lakhanpal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab assisted by
SI Jasvir Singh.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.20 dated 27.01.2019 under Sections 465, 468, 379, 489 of the Indian Penal Code, Police Station City Samana, District Patiala.
2. The FIR was registered pursuant to receipt of secret information to the effect that the petitioner-Gurdeep Singh @ Guhla is having a mechanical workshop in Patiala and that Komalpreet Singh @ Kamal is working in the said workshop with Gurdeep Singh @ Guhla and they used to tamper with chassis and engine numbers of vehicles and sell the same. The information was further to the effect that the said persons at that point of time were having one Zen car having a forged registration No.PB-11-BA-5029, which

had been stolen from District Fatehgarh Sahib and that they are travelling in the said car from Patiala to Patran. Pursuant to said information, barricading was held and aforesaid Zen car was apprehended and its registration and engine numbers were found to be forged. While Komalpreet Singh was apprehended at the spot one more person accompanying him managed to run away. It is further the case of the prosecution that aforesaid Komalpreet had suffered a disclosure statement to the effect that he along with the petitioner indulged in affixing forged engine and chassis numbers.

3. Learned counsel for the petitioner has submitted that he was not arrested at the spot and he was mainly nominated on the basis of secret information as well as disclosure statement which cannot be said to be a substantive piece of evidence.
4. Opposing the bail application, learned State counsel has submitted that since the petitioner is named in the FIR and has also been named by co-accused, he does not deserve the concession of anticipatory bail. He has however informed that the petitioner is not involved in any other criminal case.
5. Having regard to facts and circumstances of the case and while bearing in mind that the petitioner was not arrested at the spot and the evidence against him is mainly in the nature of disclosure statement of co-accused, in my opinion, it is not a case where custodial interrogation is warranted. Accordingly the petition is accepted and the interim directions issued vide dated 5.3.2019 by

this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

15.5.2019
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No