

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

**CRM-M-3179 of 2020
Date of Decision:-05.02.2020**

Davinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Aman Dhir, Advocate
for the petitioner.

Mr. A.P.S. Gill, DAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

Petitioner-Davinder Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.220 dated 12.09.2019, under Sections 379, 411, 420, 465, 467, 468 and 471 IPC, registered at Police Station Sadar Fazilka, District Fazilka.

Learned counsel for the petitioner has argued that the petitioner was not named in the FIR and was later on nominated on the basis of disclosure statement made by co-accused. He has further submitted that in the present case no recovery has been made from the petitioner and he is in custody since 29.11.2019 and that investigation in the case has been

completed and challan has already been presented.

On the other hand, learned State counsel on instructions from ASI Pawan Kumar, stated that although the investigation is complete in the present case, the offence is serious in nature because the alleged recovery of dyes and certain instruments relating to fabrication of number plates was effected from the petitioner. He has further stated that total 27 vehicles were recovered, although they were not recovered from the petitioner but from the co-accused but as the matter is serious in nature, therefore, he opposed the grant of bail to the petitioner.

I have heard learned counsel for the parties and perused the records carefully.

It is an admitted case that the recovery in the present case has not been effected from the petitioner but as per the assertion made by learned State counsel that the alleged recovery was made with regard to the instruments pertaining to fabrication of number plates and that it is also admitted position that investigation in the present case is complete. The case is triable by the Magistrate and the petitioner is in custody since 29.11.2019. The co-accused, namely, Gaurav Singla, from whom the alleged recovery of 16 vehicles was made, has been extended the concession of bail by this Court vide order dated 27.11.2019 in CRM-M-47541-2019.

Considering the totality of circumstances and after going through the records, I deem it appropriate to grant the benefit of bail to the petitioner. Consequently, the present petition is allowed. It is ordered that the petitioner shall be released on regular bail on his furnishing bail

bond/surety to the satisfaction of the learned trial Court.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

February 05, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No