

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

Date of Decision: 12.11.2021

(I) CRM-M-34114-2021 (O&M)

Rohit Kumar ... Petitioner

Versus

State of Punjab ... Respondent

(II) CRM-M-34762-2021 (O&M)

Nadim Ahmad @ Nadim Mohd. & others ... Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILLPresent: Mr. Atul Goyal, Advocate,
for the petitioner/s.Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Kulbir Singh.**GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose of the above mentioned two petitions i.e. CRM-M-34114-2021 filed on behalf of Rohit Kumar and CRM-M-34762-2021 filed on behalf of Nadim Ahmad, Mohd. Hannan and Pappu @ Mir Pappu, seeking grant of regular bail in respect of a case registered against them vide FIR No.149 dated 05.04.2021 at Police Station Division No.5, District Police Commissionerate Ludhiana, under Sections 379/467/468/471 IPC.
2. Learned counsel contends that the FIR was registered on the basis of secret information that Sanjeet Verma, Gajinder Mahto, i.e.

leaders of the gang, besides, Mohd. Anwar, Mohd. Ishtakar, Mohd. Hannan, Mohd. Khalid, Pappu, Ajit Verman @ Pechu etc. in connivance with each other had formed an inter-state gang to commit theft of underground cables of BSNL and had committed thefts in the State of Punjab besides other states during night time by impersonating BSNL workers and by using Mahindra Bolero vehicle bearing registration No.DL1LAE-2131 belonging to and driven by Rohit Kumar, and that if raid was conducted immediately, the accused could be apprehended red handed at Shiv Mandir, near Pandtan Da Dhaba, Ferozepur Road, Ludhiana, whereupon the petitioners and others were arrested and forged letters reference No.0051 dated 10.02.201, besides, Mahindra Bolero Pickup bearing registration No.DL1LAE-2131 along with 08 pieces of telephone wires, 01 iron hammer, 07 jackets of orange and silver colour and 07 helmets of yellow colour were recovered from the possession of the petitioners and co-accused.

3. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in the present case and that they have a clean record. Learned counsel submits that they were infact working as hired labourers and that they cannot be said to have stolen any article as alleged.
4. Opposing the petition, learned State counsel has submitted that since the petitioners were caught red handed at the spot pursuant to secret information, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioners have been

behind bars since the last about 7 months and are not involved in any other case.

5. I have considered rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case, but while noticing that the petitioners have been behind bars for a substantial period of about 7 months and are not stated to be involved in any other case, further detention of the petitioners will not serve any useful purpose. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. A photocopy of this order be placed on the file of each connected case.

12.11.2021

Vimal

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**