

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-34137-2021 in /and
CRM-M-36907-2021 (O&M)
Date of Decision:- 2.11.2021

Arshdeep Singh @ Ashndeeep Singh Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Impinder Singh Dhaliwal, Advocate, for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

CRM-34137-2021

In view of the reasons mentioned in the application, the same is allowed and the matter is preponed from 28.1.2022 and is taken on Board today itself.

CRM-34141-2021

In view of the reasons mentioned in the application, the same is allowed and Annexure P-4 is taken on record subject to all just exceptions.

CRM-M-36907-2021 (O&M)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No. 181 dated 03.07.2021 at Police Station Lambi, District Sri Muktsar Sahib, under Section 380 of the IPC, 1860 (Sections 411/413 and 473 of the IPC, 1860 added later on).
2. The FIR was lodged at the instance of Maghi Lal, wherein it is alleged that he owned motorcycle bearing registration No.RJ-31-SE-147 and that although the same is not registered in his name, but the previous owner had executed an affidavit regarding its sale in his favour. It is alleged that on 30.06.2021, he had parked the motorcycle in the house of his aunt during night. However, the same was stolen by removing wooden planks from the gate. The complainant kept on searching for his motorcycle and made enquiries at his own level, but the same could not be traced.
3. It is further the case of prosecution that Parkash Ram, Bobby and Arshdeep (petitioner) who were habitual of purchasing stolen properties were apprehended by the police on 4.7.2021. While co-accused Parkash Ram was riding the stolen motorcycle, co-accused Bobby and Arshdeep (petitioner) were on another motorcycle. It is further the case of prosecution that accused Parkash Ram had affixed fake registration numbers on the stolen motorcycle which he was driving.

4. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that he has clean antecedents and is not involved in any other case earlier.
5. Learned State counsel has not disputed the fact that it is a case where it is the co-accused Parkash Ram, who was found to be in possession of the motorcycle in question. It has also not been disputed that the petitioner is not involved in any other case. Learned counsel has informed that the petitioner as on date has been behind bars since the last about 3 months and 26 days.
6. I have considered rival submissions addressed before this Court.
7. Having regard to the facts and circumstances of the case particularly that it is the co-accused from whose possession the motorcycle had been recovered and that the petitioner otherwise has a clean record, the petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

2.11.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No