

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

CRM-M No.35013 of 2020 (O&M)
Date of decision: 15.03.2021

Ramesh Kumar

...Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. V.P. Sangwan, Advocate for the petitioner.

Mr.A.M.Punchhi, Public Prosecutor for U.T. Chandigarh
with Mr. Anupam Bansal, Additional Public Prosecutor, for
U.T Chandigarh.

Jitendra Chauhan, J. (Oral)

The matter has been taken up through video conferencing in
the light of the pandemic COVID-19 situation and as per instructions.

CRM-26733-2020

Application is allowed as prayed for, subject to all just
exceptions.

CRM-M No.35013 of 2020

By filing the present petition under Section 439 of the Code
of Criminal Procedure, the petitioner has sought regular bail in case FIR
No.123 dated 05.06.2020, registered under Sections 420, 467, 468, 471,

473, 489, 201, 411 and 120-B of the Indian Penal Code at Police Station Sector-31, Chandigarh.

Custody certificate of the petitioner circulated in the Court today by learned State counsel, is taken on record. Copy thereof, has already been supplied to the learned counsel opposite.

It is contended that the petitioner is falsely implicated in the present case. He is in custody since 05.06.2020. Challan stands presented and all the offences are triable by Magistrate. Co-accused Amit, whose case is at par with that of the petitioner has already been released on bail. The petitioner is on bail in all the other FIRs.

On the other hand, learned counsel for the respondent opposes the prayer of bail and informs that the petitioner is involved in three FIRs. During the investigation, the petitioner was arrested on the basis of disclosure statement of co-accused and sixteen vehicles of different makes were recovered from the possession of the petitioner on the basis of his disclosure statement.

Heard.

The allegations against the petitioner is that he tempered with the engine and chassis numbers of the stolen vehicles and in connivance with the different registration authorities of the State of Haryana, sold the vehicles to various people.

Considering the fact that it is a magisterial trial, the petitioner is in custody since 05.06.2020; twenty-one prosecution witnesses have been cited before the trial Court; even the charges have not been framed; the uncertainty which has descended due to the prevailing COVID-19

situation and that the trial is not likely to be concluded in the near future, this Court is inclined to accept the prayer of the petitioner.

Without adverting to the merits of the instant case, this petition is allowed and the petitioner be admitted to bail during the pendency of the trial in the present FIR on his furnishing indemnity bonds with two local sureties, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

15.03.2021
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(JITENDRA CHAUHAN)
JUDGE

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