

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10251 of 2022
Date of Decision: 10.10.2022

Rinku

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. R. D. Rattewal, Advocate,
for the petitioner.

Mr. Amit Rana, Senior DAG, Punjab

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.261 dated 02.12.2021, under Sections 379, 420, 465, 467, 468, 471, 473, 120-B IPC, registered at Police Station Samrala, District Ludhiana.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 02.12.2021 and the investigation of the case has already been completed and thereafter challan has been presented to the competent Court but charges have not been framed as yet. He further submitted that in view of the aforesaid position, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Amit Rana, learned Senior DAG, Punjab on instructions from ASI Jagjivan Singh has stated that although the investigation in the present case has been completed but it is a case where the petitioner alongwith

other persons steal the vehicles and put fake and fabricated number plates on them and also erase the engine number and chassis number etc. and a secret information was received that they are coming from a particular direction and they can be apprehended and acting upon the same, the police party apprehended the petitioner and another accused also and there had been a recovery of one tipper from the petitioner which was having a fake number plate. He submitted that the petitioner is also involved in another case of similar nature in FIR No. 115 dated 17.10.2021, under Section 379 IPC. He submitted that the petitioner as well as the other co-accused are habitual offenders and recovery of one tipper has been effected from the petitioner and during investigation it was found that the petitioner alongwith other co-accused had earlier also stolen 17 vehicles by making a fake and fabricated number plates on them and therefore, he has opposed the grant of regular bail to the petitioner. He submitted that there is a strong apprehension that in case the petitioner is released on bail, he may not only repeat the offence but also abscond.

I have heard the learned counsel for the parties.

It is a case where on the basis of a secret information, the petitioner was apprehended alongwith other co-accused and recovery of one tipper having fake and fabricated number plate was effected from the petitioner. The petitioner is also involved in another case. As per the learned State counsel, the petitioner alongwith the other co-accused formed a gang for stealing vehicles and thereafter, erasing the engine and chassis numbers and putting fake and fabricated number plates on the same. No witness has been examined in the present case. An apprehension has been expressed by the learned State counsel that in case the petitioner is released on bail then he may repeat the offence and may even abscond especially considering his antecedents. This Court is of the view that the

apprehension expressed by the learned State counsel cannot be ignored and does carry weight.

In view of the aforesaid position, finding no merit in the present petition, the same is hereby dismissed.

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

October 10, 2022
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(JASGURPREET SINGH PURI)
JUDGE

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