

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

(I)	CRM-M-38431-2021 (O&M) Date of Decision:- 19.7.2022	
Ramjit Singh	...	Petitioner
	Versus	
State of Punjab	...	Respondent
(II)	CRM-M-31874-2021 (O&M)	
Girish Bembi	...	Petitioner
	Versus	
State of Punjab	...	Respondent
(III)	CRM-M-37551-2021 (O&M)	
Maninder Singh	...	Petitioner
	Versus	
State of Punjab	...	Respondent
(IV)	CRM-M-51141-2021 (O&M)	
Rajesh Kakkar @ Raja	...	Petitioner
	Versus	
State of Punjab	...	Respondent

(V)

CRM-M-52179-2021 (O&M)

Harjot Singh @ Jot

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ravinder Bangar, Advocate, for the petitioner
in CRM-M-38431-2021.

Mr. L.M.Gulati, Advocate, for the petitioner
in CRM-M-31874-2021.

Mr. Aditya Sanghi, Advocate with
Mr. Sunny Sagar, Advocate, for the petitioner
in CRM-M-37551-2021.

Mr. Parvinder Singh Ahluwalia, Advocate,
for the petitioner in CRM-M-52179-2021.

Ms. Vandana Sharma, Advocate,
for the petitioner in CRM-M-51141-2021.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Gurpartap Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned five petitions wherein petitioners Ramjit Singh, Girish Bembi, Maninder Singh, Rajesh Kakkar @ Raja and Harjot Singh @ Jot, seek grant of regular bail in a case registered vide FIR No.84, dated 10.06.2021 under Sections 379, 411, 420, 465, 467, 468, 471, 473, 120-B of IPC, Police Station Balongi, District SAS Nagar (Mohali), Punjab.

2. The FIR was lodged pursuant to receipt of secret information to the effect that Ramjit @ Babba and Chanpreet Singh @ Chani indulged in stealing vehicles from Delhi and they had formed a gang and they stole vehicles from Mohali, Chandigarh and other areas as well which were being sold to Upkardeep Singh @ Prince, Balram Kumar and Gaivy @ Garry Bembi, Sukhdev Singh @ Sippi, Maninder Singh, Tejinder Singh @ Sona, Jodh and Rajesh Kakkar. It is alleged that they used to change the chassis and engine number of the said vehicles so as to change the identity and by using registration certificates of accidental vehicles and by affixing/engraving, engine number and chassis number of such accidental/total loss vehicles, used to sell the said vehicles to gullible customers by forging documents. Pursuant to lodging of the aforesaid FIR, the police was able to arrest all the accused apart from Chanpreet (non-petitioner).
3. Learned counsel for the petitioners have submitted that they have falsely been implicated in the present case and that there is no credible evidence to establish the allegations as have been leveled in the FIR. It has further been submitted that in any case, the petitioners have been behind bars for a substantial period and in these circumstances, further detention would not be justified.
4. Opposing the petitions, learned State counsel has submitted that since pursuant to arrest of the petitioners on different dates, they had made disclosure statements and a large number of stolen vehicles have been recovered from each of them their complicity is clearly evident. Learned State counsel has informed that while as many as 8 cars were

recovered from Ramjit who otherwise stands involved in two other FIRs; Gaivy @ Garry Bembi got recovered 2 cars and is otherwise involved in two other cases; Maninder Singh got recovered 4 cars and is not stated to be involved in any other case; Jot got recovered 8 cars and is involved in two other cases; Rajesh Kakkar is stated to be involved in two other FIRs and have got 4 cars recovered.

5. Learned State counsel submitted that all the accused used to steal high end cars and by forging their registration numbers had been selling of the same and since as many as 32 cars had been recovered in all from the aforesaid five accused, the allegations as leveled in the FIR stands fully substantiated and as such having regard to the enormity of the offence, no case for grant of regular bail is made out. Learned State counsel has however, informed that the petitioners have, by and large, been behind bars since the last about one year and that although challan has been presented, but charges are yet to be framed and as many as 23 PWs have been cited.
6. I have considered rival submissions addressed before this Court.
7. It is no doubt correct that the petitioners are specifically named in the FIR and recoveries of stolen cars would tend to show that they were indeed involved in stealing cars. However, at the same time, this Court cannot lose sight of the fact that the petitioners have been behind bars for a substantial period of one year. Conclusion of trial is likely to consume time inasmuch as the trial has not even commenced till date and even charges have not been framed. In these circumstances, the petitioners cannot be detained indefinitely. All the

five petitions, as such, are accepted and the petitioners are ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned. The trial Court is directed to insist on heavy surety at the time of accepting the bail bonds/surety bonds.

8. A photocopy of this order be placed on the file of each connected case.

19.07.2022
Hemlata/mohan

(GURVINDER SINGH GILL)
JUDGE

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