

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

1. CRM-M-46816-2021 (O&M)

Goldy

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-46821-2021 (O&M)

Ravi Kumar

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision: 04.04.2022

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Pranav Chamoli, Advocate
for the petitioner(s).

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions as they arise out of the same FIR.

Prayer in these petitions, filed under Section 439 Cr.P.C., is for grant of regular bail to petitioners Goldy and Ravi Kumar in case FIR No. 153 dated 13.12.2020, registered under Sections 457, 380, 411, 120-B of the IPC at Police Station Zira, District Ferozepur.

Learned counsel for the petitioners submits that as per

allegations in the FIR, registered at the instance of complainant Vikram Gupta, it is stated that he is the Incharge of Malwa Liquors L-1, Zira and its godown is situated at Ferozepur road. On 13.12.2020, when he checked the godown after opening it, he noticed that stock of worth Rs. 10,85,000/- has been stolen, details of which have been given in the FIR. Thereafter, the police registered the FIR and recorded the supplementary statement of the complainant, in which the accused persons including petitioners were named. The petitioners were arrested on 13.01.2021.

Learned counsel for the petitioners has argued that in fact no offence is made out and the petitioners have falsely been implicated in this case as there is no eye-witness to the occurrence.

It is further submitted that the police has already effected the recovery of stolen articles and, therefore, the petitioners may be enlarged on regular bail in view of their long custody.

Reply, by way of the affidavit of the DSP, Zira, Ferozepur, has been filed separately in both the cases. In the affidavit, after verifying the contents of the FIR, it is stated that on 31.12.2020, a supplementary statement of the complainant was recorded and the persons, namely Ravi son of Jagdish, Zora Singh, Ravi son of Raj Kumar (petitioner herein), Ajay @ John, Goldy (petitioner herein), Raman, Bobby and Gurpreet Singh were nominated as accused in this case. Both the petitioners were later on arrested and they made disclosure statement that they are working with co-accused Gurpreet Singh in a group and they have committed a number of similar thefts. Co-accused Gurpreet Singh was also arrested on 21.01.2021 and one Skoda car and some bottles of liquor were recovered and thereafter,

on his disclosure, some other persons were also nominated and recovery of articles was effected from them as well. As per para 2 of the affidavit, both the petitioners are habitual offenders and as many as 12 cases of similar nature are already registered against them. The details of such cases are given below:

Sr. No.	FIR No./Date	U/s	Police Station	Status
1	313/05.12.2020	380/457 IPC	City Ferozepur	Under Trial
2	261/05.12.2020	380/457 IPC	Guru Harsahai	Under Trial
3	121/19.12.2020	380/457 IPC	Lakho Behram Ke	Under Trial
4	43/16.06.2020	380/457/411 IPC	-do-	Under Trial
5	67/08.06.2020	380/457 IPC	Makhu	Under Trial
6	03/11.01.2020	380/457 IPC	-do-	Under Trial
7	50/16.05.2020	380/457 IPC	-do-	Under Trial
8	149/02.12.2020	380/457 IPC	Sadar Zira	Under Trial
9	145/27.11.2020	380/457/411/120-B IPC	-do-	Under Trial
10	166/02.12.2020	380/457/411 IPC	Mallanwala	Under Trial
11	195/23.12.2020	379/380/457/411 IPC	Kulgari	Under Trial
12	141/17.12.2020	380/457 IPC	Zira	Under Trial

Learned State counsel, on instructions from the Investigating Officer, submits that a Tata vehicle, which was used for committing the offence, is owned by petitioner Goldy and the same has been recovered from him. Similarly, some recovery has also been effected from petitioner Ravi Kumar.

After hearing learned counsel for the parties, without making any comment on the merits of the case, looking into the antecedents of the petitioners, who are repeatedly involved in a number of similar cases, coupled with the fact that their disclosures are followed by recoveries from them, I find no ground to grant them the concession of regular bail.

Accordingly, the present petitions are dismissed.

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

04.04.2022
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No