

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No.216)

CRM-M No. 12898 of 2022

Date of decision : 03.05.2023

Manpeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Ashish Gupta, Advocate for the petitioner.

Mr. A.P.S. Tung, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

(1) The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.164 dated 16.07.2021 registered under Section 379 IPC (Sections 411, 420, 465, 467, 468, 471, 474 and 120-B IPC added later on) at Police Station City Kotkapura, District Faridkot.

(2) Briefly stated, the case of the prosecution is that on 10.07.2021 complainant - Rajinder Kumar filed a complaint with the police that his motorcycle was stolen; he believed that the petitioner, Rajan Kumar and Nirbhey Singh, whom he knew, had stolen his motorcycle; the petitioner, Nirbhey Singh and Rajan Kumar were arrested; their interrogation resulted in the recovery of 06 motorcycles/scooters and 04 forged registration cards as also that it was co-accused Karamveer Kaur @ Kirna who had forged the recovered registration cards.

(3) Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; the petitioner was arrested on 16.07.2021; even after over 01 year and 09 months the petitioner's trial is yet to start; co-accused Karamveer Kaur @ Kirna, Rajan Kumar and Nirbhey Singh have been granted regular bail by this Court; since investigation in the case is complete the petitioner is in no position to influence the same and that the petitioner's trial, as and when it starts, will take a long time to conclude.

(4) Learned State counsel opposes the petitioner's plea by submitting that the petitioner is involved in one another case of similar nature and if released on bail he may flee from justice, indulge in similar offences and/or influence his trial.

(5) Learned counsel for the parties have been heard at length and with their able assistance the records of the case have also been perused.

(6) This Court had granted regular bail to similarly placed co-accused Rajan Kumar and Nirbhey Singh; co-accused Karamveer Kaur @ Kirna who is alleged to have forged the recovered registration cards of the vehicles has also been granted regular bail by this Court; the petitioner is in custody for the last 01 year, 09 months and 17 days; investigation in the case is complete and therefore the petitioner is in no position to influence the same and that the petitioner's trial, as and when it begins, is likely to take a long time to conclude.

(7) In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail.

Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Faridkot, the petitioner is directed to be released on bail.

(8) It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

(9) It is further directed that while on bail the petitioner shall own and possess a smart mobile phone which shall be kept on at all times; the phone shall always be with the petitioner; he shall share the number of the phone as also his location with the SHO of the area where the petitioner normally resides; he shall mark his attendance on 1st of each month in the police station and that he shall also not leave the jurisdiction of the concerned police station without the prior permission of the SHO of such police station.

03.05.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No