

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

216

CRM-M-20640-2023 (O&M)

Date of decision: 02.05.2023

PARVINDER SINGH @ PARWINDER SINGH @ PINDU

....Petitioner

Versus

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. A.S. Manaise, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J.

1. The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in case of FIR No.12 dated 16.01.2023, registered under Sections 379, 411 IPC at Police Station Phase-8, Mohali, District SAS Nagar (Mohali).

2. Learned counsel contends that the petitioner is in custody for the last about 3 months. The FIR was registered against unknown persons and it is based on disclosure statement of Inderpreet Singh that his name had surfaced in the present case, with the allegation that he used to purchase stolen cars from the said co-accused and further sell it to Rakesh Kumar @ Rajesh Kumar @ Rinku. He submits that the aforesaid co-accused has been granted bail by this Court vide order dated 28.04.2023. Recovery stands effected from him. Challan was presented on 06.04.2023 and charges have not been framed. In total there are 13 prosecution witnesses. He is not involved in any other case.

3. Learned State counsel has produced the custody certificate dated 01.05.2023, which is taken on record. As per which the custody of the petitioner is 02 months and 17 days.

4. Learned State counsel opposes the bail on the ground that the allegations against the petitioner are of having purchased stolen cars from the main accused and further selling it to co-accused- Rakesh Kumar @ Rajesh Kumar @ Rinku, who has since been granted bail by this Court. Petitioner has also made a confessional statement that he had purchased 25 stolen cars out of which 24 cars have been further sold and 1 car has been recovered from him. He is however unable to controvert the submissions with regard to stage of trial, co-accused having been granted bail and petitioner being not involved in any other case.

5. Heard.

6. In view of the facts and circumstances of the case, in particular that the petitioner is in custody for the last 02 months and 17 days; he is not involved in any other case; co-accused has been granted bail; challan was presented on 28.04.2023, however, charges are yet to be framed; in total there are 13 prosecution witnesses, the trial is likely to take a considerable time, his further detention behind bars would not serve any useful purpose, thus the present petition for grant of regular bail deserves to be allowed.

7. As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to him not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.

- 2. The petitioner will not pressurize/ intimidate the prosecution witnesses.
- 3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- 4. The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- 5. The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- 6. The petitioner shall not in any manner misuse his liberty.
- 7. The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
- 8. The petitioner shall deposit his passport, if any, with the Trial Court forthwith and in case, he does not have the passport, he shall furnish a specific affidavit in this regard.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

02.05.2023
S.Sharma(syr)

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No