

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

I) CRM-M-7264-2022 (O&M)

Ankush Kumar @ Sonu Bathla ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-1298-2022 (O&M)

Loveraj Singh @ Raju ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-18.1.2023

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashok Paul Batra, Advocate,
for the petitioner in CRM-M-7264-2022.

Mr. Amit Dhawan, Advocate,
for the petitioner in CRM-M-1298-2022.

Mr. Siddharth Atttri, AAG, Punjab,
assisted by ASI Kulwinder Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Ankush Kumar @ Sonu Bathla and Lovraj Singh @ Raju seeking grant of regular bail in respect of a case registered vide FIR No.0004, dated 7.1.2021 at Police Station Tibba, District Ludhiana, under Sections 379, 411, 473, 420, 467, 468 and 471 of Indian Penal Code.

2. The FIR was lodged pursuant to receipt of secret information by the police to the effect that Ankush Kumar @ Sonu Bathla and Lovraj Singh @ Raju are into business of sale and purchase of vehicles and under the garb of the said business, they were infact selling stolen vehicles after changing the engine number/chassis number and by assigning forged registration numbers. The information as further to the effect that they had already sold several cars by getting the same from West Bengal and from other States on the basis of forged documents and that even on the given day they were proceeding in a stolen Scorpio vehicle towards Samrala Chowk, Ludhiana from Jalandhar. Pursuant to receipt of said information, the police was able to apprehend the aforesaid 2 persons namely Ankush Kumar @ Sonu Bathla and Lovraj Singh @ Raju while they were travelling in the Scorpio vehicle bearing forged registration No.OD-02-AD-8008. It is further the case of prosecution that the aforesaid persons also got recovered 5 more stolen vehicles i.e. Innova Car bearing registration No.WB-16-AV-6030, another Innova Car bearing registration No.WB-52-AN-4383, Breeza Car bearing registration No.WB-38-AP-7333, another Breeza Car bearing registration No.WB-38-AP-8700 and Baleno Car bearing registration No.WB-38-AP-8153.
3. Learned counsel for the petitioners have submitted that the petitioners have been falsely implicated in the present case and that, in any case, since the petitioners have been behind bars for a substantial period of more than 2 years, no useful purpose will be served by detaining the petitioners behind bars for an indefinite period.
4. Opposing the petition, learned State counsel has submitted that having regard to the number of stolen vehicles recovered at the instance of the petitioners,

their complicity is clearly evident and since they are habitual offenders and stand involved in 3 other cases lodged in Delhi pertaining to possession of stolen vehicles, they do not deserve to be released on bail. Learned State counsel has, however, informed that as on date 7 PWs out of the cited 35 PWs have been examined.

5. Having regard to the facts and circumstances of the case but without commenting anything as regards merits of the case and while also noticing that the petitioners have been behind bars for a substantial period of more than 2 years, further detention of the petitioners will not serve any useful purpose as conclusion of trial is likely to consume time inasmuch as only 7 PWs out of the cited 35 PWs have been examined so far. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
6. A photocopy of this order be placed on the file of connected case.

18.1.2023
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No