

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRM-M-51482 of 2022(O&M)
Date of Decision: 19.05.2023

Vinay Thapar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. G.S. Jagpal, Advocate
For the petitioner.

Mr. Sunish Girdhar, AAG Punjab.

KARAMJIT SINGH, J.

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 123 dated 19.08.2022, registered under Sections 420, 465, 468 and 471 IPC at Police Station Dugri, District Ludhiana, to which offence under Sections 212 and 217 IPC were added lateron.

2. The allegations in nutshell are that police received secret information that Harminder Singh was running a shop and was selling SIM cards of different telecoms to his customers using the identity proofs of other persons and thus cheated his customers and telecoms. Harminder Singh was arrested on 19.08.2022 and two mobile phones and one register having entries regarding sale of SIM cards were recovered from his possession. Said Harminder Singh made disclosure statement that he sold four SIM cards to co-accused Bhavneet Singh in an illegal manner. Consequently, Bhavneet Singh was arrested and he disclosed that he further disposed of said SIM

cards to Yuvraj and petitioner Vinay Thapar. Consequently, petitioner was arrested on 25.08.2022 but no incriminating article was recovered from his possession.

3. After completion of investigation police has presented the challan and all the offences are triable by the Court of Judicial Magistrate Ist Class. After framing of charges till date no prosecution witness has been examined and the petitioner who is in custody for the last more than 08 months is having no criminal history and it will take considerable time for the trial to conclude. Further the State counsel on instructions from SI Sukhdev Raj made statement that petitioner is not required by the police of Amritsar in any other criminal case. In the given circumstances no purpose is going to be served by detaining the petitioner in judicial custody for any longer period.

4. In light of above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

19.05.2023

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(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No