



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRM-M-28546-2024
Date of decision: June 26th, 2024

Saravjeet Singh alias Sarabjit Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vipin Kumar Sharma, Advocate
for the petitioner.

Mr. Akshay Kumar, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.67 dated 04.12.2023 under Sections 420, 465, 467, 468, 471, 120-B of the IPC (Section 384 of the IPC added later on) registered at Police Station Handesra, District S.A.S. Nagar.

2. Learned counsel for the petitioner submits that the crime in question had been in fact committed by the co-accused, who had hacked the official ID and password of the petitioner and thereafter, forged Registration Certificates of luxury cars before selling them off; the petitioner was working as a Clerk in the office of the Licensing and Registration Authority, Kharar; as soon as he learnt that his official ID and password had been hacked, he immediately brought it to the notice of the SDM, Kharar, vide Annexure P-2 dated 01.12.2023 and thereafter, SDM, Kharar, duly intimated the DSP, Kharar, about the same.

3. Learned counsel has further submitted that the petitioner has clean antecedents and has now been in custody since 25.02.2024 in a magisterial trial; the investigation in the case at hand is complete as challan also stands presented, however, there is no possibility of the trial concluding in the near future as the charges are likely to be framed only on the next date of hearing, coupled with the fact that as many as 16 prosecution witnesses have been cited.

4. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Jiwan Singh, has not disputed that the investigation in the case at hand is complete and challan stands presented, however, he has submitted that it was on account of the tacit support extended by the petitioner to the co-accused, Registration Certificates of some luxury cars were forged and fabricated and thereafter, those cars were sold off.

5. On a pointed query, learned State counsel, on instructions, has informed the Court that the petitioner is not involved in any other criminal case.

6. I have heard learned counsel for the parties and perused the material placed on record.

7. In the facts and circumstances as enumerated hereinabove, since the petitioner has been in custody since 25.02.2024 in a magisterial trial and challan stands presented, further incarceration of the petitioner would serve no useful purpose as the trial would take considerable time to conclude. The instant petition is thus allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that

anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

June 26th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No