



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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1. CRM-M No.49347 of 2024

Bhupinder Singh ... Petitioner

Versus

State of Haryana ... Respondent

2. CRM-M No.49517 of 2024

Gurmeet Singh @ Lalli ... Petitioner

Versus

State of Haryana ... Respondent

Date of Decision: 15.10.2024

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Harshit Singla, Advocate,
for the petitioner in CRM-M No.49347 of 2024.

Mr. Rohiteshwar Singh, Advocate,
for the petitioner in CRM-M No.49517 of 2024.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. This order shall dispose of CRM-M No.49347 of 2024 titled as *Bhupinder Singh v. State of Haryana* and CRM-M No.49517 of 2024 titled as *Gurmeet Singh @ Lalli v. State of Haryana*.

2. The present petitions have been filed by the petitioners under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short

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“BNSS”) seeking regular bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
80	09.02.2024	Thanesar Sadar, District Kurukshetra	379 of IPC (201, 120-B, 420, 471 and 411 of IPC added later on)

3. Brief facts relevant for the purpose of disposal of the above petitions are that the aforementioned FIR had been registered on the basis of complaint lodged by the complainant Aman Khurana on 09.02.2024 alleging therein that on 08.02.2024, he had bought a Scorpio vehicle and had parked it outside the house of his friend on the same night and then he had gone to Jaipur. In the next morning, his vehicle was found to be stolen by some unknown person. After registration of FIR, investigation proceedings were initiated. During investigation, the stolen vehicle was recovered from the custody of petitioner-Gurmeet Singh. He was arrested on 22.02.2024. He suffered a disclosure statement and nominated the present petitioner and co-accused Deepak Khanna who were also involved in theft of the abovesaid vehicle. It was also revealed that the petitioners were operating a gang and were engaged in the business of stealing vehicles and in conspiracy with each other, they were selling the stolen vehicle by changing registration number, chassis number and engine number of the same. Even the number plate of the vehicle belonging to the complainant had also been changed. Some other stolen vehicles were recovered from the possession of the petitioner-Gurmeet Singh. The petitioner-Bhupinder Singh was arrested on 05.03.2024. Applications for grant of regular bail as filed by them were dismissed by the Courts of learned Additional Sessions Judge, Kurukshetra.

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4. It is argued by learned counsel for the petitioners in both the cases that they have been falsely implicated in this case. The petitioner-Gurmeet Singh is in custody since 22.02.2024 whereas petitioner-Bhupinder Singh is in custody since 05.03.2024. The subject offences are triable by Magistrate. The petitioner-Bhupinder Singh has no criminal antecedents whereas the petitioner-Gurmeet Singh has been booked in three other cases but is on bail in all those cases. Investigation has since been completed. The trial will likely to take time. Their further detention would not serve any useful purpose. There are no chances of their absconding if extended benefit of bail. Hence, it is urged that the petitions deserve to be allowed.

5. Per contra, learned State counsel has argued that the petitioners in connivance with each other not only committed theft of the vehicle belonging to the complainant but also changed its number plate thereby committing offences of forgery and cheating. Therefore, keeping in view the gravity of the allegations, they do not deserve to be released on bail.

6. I have heard learned counsel for the petitioners as well as learned State counsel at considerable length and have gone through the record.

7. The petitioners are alleged to have committed theft of the vehicle belonging to the complainant on the night of 08.02.2024 and are further alleged to have affixed a fake number plate on the same. They are in custody since 05.03.2024 and 22.02.2024 respectively. Investigation has been completed. Challan has been presented. Trial is going on but is likely to take time. The offences for which the petitioners have been booked are

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triable by Magistrate. It is well settled proposition of law that the bail is the rule and jail is an exception. Keeping in view the period spent by them in custody, the nature of the allegations as levelled against them and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, I am of the opinion that the petitioners deserve to be released on bail. Accordingly, both the petitions are allowed and the petitioners are ordered to be admitted to bail subject to their furnishing personal as well as surety bonds to the satisfaction of learned trial Court.

15.10.2024
Parveen Sharma

(MANISHA BATRA)
JUDGE

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