CRM-M-38110-2023 Neutral Citation No. 2024:PHHC:006317
CRM-M-52634-2023 Neutral Citation No. 2024:PHHC:006318
CRM-M-43085-2023 Neutral Citation No. 2024:PHHC:006319
CRM-M-41588-2023 Neutral Citation No. 2024:PHHC:006320

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Reserved on: January 12, 2024
Pronounced on: January 18, 2024

1. **CRM-M-38110-2023**

Parwinder Singh **…Petitioner**

Versus

State of Punjab …Respondent

2. **CRM-M-52634-2023**

Gursewak Singh @ Sewak **…Petitioner**

Versus

State of Punjab …Respondent

3. **CRM-M-43085-2023**

Jasjit Singh @ Bhalla **…Petitioner**

Versus

State of Punjab …Respondent

4. **CRM-M-41588-2023**

Kewal Singh **…Petitioner**

Versus

State of Punjab …Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

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Present: - Mr. Amandeep Singh Sandhu, Advocate for the petitioner in CRM-M-38110-2023.

Mr. B.S. Bhalla, Advocate for the petitioner in CRM-M-41588-2023.

Mr. Arshdeep Singh Brar, Advocate for the petitioner in CRM-M-43085-2023.

Mr. J.S. Khiva, Advocate for the petitioner in CRM-M-52634-2023.

Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J.

In the four petitions titled above, all filed under Section 439 Cr.P.C., petitioners have prayed for their release on regular bail in case FIR No.69 dated 14.05.2023, under Sections 401, 379, 411, 420, 465, 467, 468, 471, 473, 120-B of IPC, registered at Police Station Kot Isse Khan, District Moga.

2. Separate status report has been filed in all the cases.

3.1 Allegations are that a secret information was received by police party on 14.05.2023 to the effect that Jasjit Singh @ Bhalla *(petitioner in CRM-M-43085-2023)*, Gursewak Singh @ Sewak *(petitioner in CRM-M-52634-2023),* Kewal Singh S/o Mukhtiar Singh *(petitioner in CRM-M-41588-2023),* Shivcharan Dass and Gursewak Singh @ Guri are the members of a gang involved in fetching stolen cars from the other states and that they further indulge in selling the said cars by forging ownership documents. It was further informed that on that day, accused were returning in a stolen car towards Kot Isse Khan from Car Bazar, Moga.

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3.2 The FIR was registered. Barricading was laid. The five accused named above were apprehended and as many as 15 stolen cars were recovered from their possession. During interrogation, Ratti Ram; and Parwinder Singh *(petitioner in CRM-M-38110-2023)* S/o Darshan Singh were also nominated as accused. Parwinder Singh was arrested while travelling in a stolen BALENO car bearing registration No.HR-51-CC-3122. Pursuant to the disclosure statement suffered by said Parwinder Singh, 06 more expensive stolen cars were recovered from him, as per details given in the reply. In all, 22 stolen cars have been recovered.

3.3 During investigation, accused Kewal Singh suffered disclosure statement that he had purchased a stolen Maruti Suzuki Brezza Car from Jasjit Singh @ Bhalla and Shivcharan Dass and he had sold the same with fake registration number to one Inderpal Singh. The said car was also got recovered by Kewal Singh. Ratti Ram has not been arrested so far.

3.4 After completion of investigation, final report under Section 173 Cr.P.C. has been filed against the arrested accused. Charges have been framed on 01.09.2023.

4. It is contended on behalf of petitioner Parwinder Singh that he has been falsely implicated; that he has nothing to do with the stolen cars; that investigation is already over; that trial may take time to conclude and so he be allowed bail.

5. On behalf of petitioner Gursewak Singh @ Sewak, it is

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contended that FIR has been lodged simply on the basis of secret information, without verifying the facts; that petitioner is not involved in the case as he is working as a Foreman in Haider Sheikh Rice Mill at Moga and has been falsely involved. Petitioner has also given details of two other cases, in which he is an accused and submits that the challan has already been filed and the trial may take time to conclude and so, he be allowed bail.

6. On behalf of petitioner Kewal Singh, it is contended that he has nothing to do with the offence in question; that he is a Press Reporter and had published a news item regarding the law and order situation and out of grudge, the police has involved him in the present case. Petitioner submits that nothing has recovered from him and that recovery has been planted upon him.

7. On behalf of petitioner Jasjit Singh @ Bhalla, it is contended that he is innocent and has nothing to do with the stolen cars. He has given details of three other cases, in which he is involved and submits that he is on bail in all those cases. It is further submitted that his wife is in family way; that challan has already been field and so he be allowed bail.

8. Learned State counsel has opposed all the petitions by pointing out towards the nature of the offence committed by the petitioners, who along with co-accused, being members of the gang indulge in snatching/stealing expensive cars and sell them by using fake number plates.

9. Heard.

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10. No FIR is disclosed in the police report regarding theft of any of the cars as recovered. Recovery has already been effected. All the petitioners are in custody for the last more than 07 months. The offences in question are triable by the Magistrate. The trial may take time to conclude. No purpose shall be served by keeping the petitioners detained.

11. Considering all the aforesaid facts and circumstances of the case, but without commenting anything on the merits, all the four petitioners are admitted to bail. They be released on bail on their furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

All the aforesaid four petitions are allowed.

Photocopy of this order be placed on the connected case files.

January 18, 2024 **(DEEPAK GUPTA)**
Sarita **JUDGE**

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

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