

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60001-2023

Baldev Singh @ Ravi

.....Petitioner

Vs.

State of Punjab

.....Respondent

Reserved On: 05.01.2024
Pronounced On: 09.01.2024

CORAM: - HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: - Mr. Raghav Soni, Advocate
for the petitioner.

Mr. Mohit Thakur, AAG, Punjab.

DEEPAK GUPTA, J.

By way of this petition filed under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.73 dated 17.03.2021 registered at Police Station Chheharta, District Amritsar under Sections 420, 467, 468, 471, 120-B of the IPC, 1860.

2. As per prosecution allegations, complainant Mahalvia Gaba is doing the business of car renting after taking license from Government of Punjab, for which purpose he has also hired Jugraj Singh as his Manager. One Sarabjit Singh (co-accused) was his regular customer for the last one year. Initially, said Sarabjit Singh used to take one or two cars on rent and thus, he had created his trust with the complainant. About 02-03 months ago, he had taken away as many as 09 cars (as per the details given in the FIR) but did not pay any rent for the cars. All the cars are fitted with GPS system. Complainant had come to know that said Sarabjit Singh along with his companions Ravi

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(present petitioner), Prince (bouncer) and Raja etc. were selling the cars further after preparing forged documents to the people on lesser rates.

3. FIR was registered. During investigation, raid was conducted at the residence of co-accused Sarabjit Singh and four of the cars as mentioned in the FIR were recovered from the courtyard of his house, which were taken into possession. During further investigation, Harbhej Singh, Dilbagh Singh, Harbhajan Singh and Harpinder Singh produced four more cars along with the documents qua mortgage of the cars with them by accused Sarabjit Singh. It came during investigation that Sarabjit Singh along with the present petitioner Baldev Singh @ Ravi had mortgaged the cars to various persons. The 9th car was later on produced by Jagmeet Singh. Petitioner was arrested on 10.12.2022 and he suffered disclosure statement admitting the crime.

4. It is contended by learned counsel that petitioner has been falsely implicated; that recovery of cars in question have already been effected; that it is Sarabjit Singh, who is the principal accused; that investigation is already complete and trial may take time to conclude and so, he be allowed bail.

5. Opposing the bail petition, though learned State counsel concedes that recovery has already been effected but contends that petitioner was conniving with the other accused in mortgaging the cars taken on rent from the complainant, to different people without the consent of the complainant. Learned State counsel also drawn attention towards the criminal antecedents of the petitioner, who is involved in seven other cases as per details given in the status report.

6. I have considered submissions of both the sides and have perused the record.

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7. Investigation is already complete. Recovery of all the nine cars as mentioned in the FIR, has already been effected. As per the own case of the prosecution, it is co-accused Sarabjit, who had taken the cars on rent from the complainant. Petitioner is in custody since 10.12.2022 i.e., for the last more than one year. Trial may take time to conclude. No purpose shall be served by keeping the petitioner detained.

8. Keeping in view all the aforesaid circumstances but without commenting anything further on the merits of the case, this petition is allowed. Petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

January 09, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No