

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225

CRM-M-61086-2023
Date of Decision:14.03.2024

VIKRAMJEET SINGH

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. P.K. Ganga, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No. 58 dated 23.05.2016, registered under Section 382 of IPC (subsequently Sections 395, 365, 341 and 201 of IPC were added) at Police Station Sadar, Shri Muktsar Sahib.

2. FIR was lodged on the complaint of Raghubir Singh, as per which he was working as driver with owner Resham Singh, on Trollea bearing No. HR-61-I-2117. It was alleged that on 04.05.2016, said vehicle was forcibly taken away by Lakhvir Singh @ Sonu, who was accompanied by the petitioner and others.

3.1 Learned counsel contends that the petitioner has been falsely implicated; that Resham Singh, being registered owner of the vehicle, had agreed to sell the vehicle to the petitioner by way of an agreement dated 26.05.2015 (Annexure P-2). Owner-Resham Singh had executed an affidavit (Annexure P-3) in this regard. Authority affidavit given by said Resham Singh is Annexure P-4. Resham Singh also handed over his special power of attorney in favour of the petitioner, copy of which is Annexure P-5.

3.2 Learned counsel further contends that the vehicle was got financed by Resham Singh from M/s Magma Finance Corp. Ltd. and that after purchasing the vehicle from Resham Singh, petitioner even paid 18 installments to the said company.

3.3 Learned counsel also submits that though petitioner was earlier declared as a proclaimed offender, but apart from him other persons were also declared proclaimed offender and all of them have since been allowed bail by the trial Court.

4. Learned State counsel has opposed the bail petition by pointing out that petitioner was earlier declared as a proclaimed offender. However, it is submitted that it is Resham Singh, who was owner of the vehicle, as per the investigation. Learned State counsel is unable to tell anything regarding the documents which were supplied by the petitioner submitting that these are not part of the investigation.

5. As per the custody certificate placed on record, petitioner is in custody for the last 05 months and 19 days and he has no other criminal case pending against him. Learned State counsel, on instructions from ASI Iqbal Singh submits that even charges have not been framed till date and thus the trial is likely to take long time to conclude.

6. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, petition is allowed. Petitioner is admitted to regular bail and is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

14.03.2024

pry

Whether Speaking/reasoned
Whether Reportable

(DEEPAK GUPTA)
JUDGE

Yes
No