

CRM-M-5937-2025 (O&M)
CRM-M-27409-2025 (O&M)

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
222 AT CHANDIGARH

2025:PHHC:070400



DATE OF DECISION : 23.05.2025

1. CRM-M-5937-2025 (O&M)

HARDEV SINGH ... PETITIONER
V/S
STATE OF HARYANA AND ANOTHER ... RESPONDENTS

2. CRM-M-27409-2025 (O&M)

JASKARAN SINGH ALIAS JASHAN SINGH ... PETITIONER
V/S
STATE OF HARYANA AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Kushager Goyal, Advocate for the petitioner
in CRM-M-5937-2025.

Mr. Satbir Singh Gill, Advocate for the petitioner
in CRM-M-27409-2025.

Mr. Tanuj Sharma, AAG Haryana.

Ms. Neha Bindal, Advocate for respondent No.2.

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RAJESH BHARDWAJ, J. (ORAL)

1. Petitioners have approached this Court by way of present petition praying for grant of regular bail in case FIR No.180 dated 21.03.2024, under Sections 420, 379, 467, 468, 471 & 34 of IPC registered at Police Station Sirsa City, District Sirsa.

2. Succinctly, facts of the case are that the FIR got registered on the statement of complainant-Simranjeet Singh. It was alleged that he owned Splendor motor-cycle bearing registration No. HR-24W-5450 and on

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21.03.2024, he has parked his motor-cycle on Arya Samaj Road, near Parshuram Chowk Khunger Mobile Gali. However, when he came at about 3:40 p.m., he could not find his motor-cycle. He searched around but failed to find the same and then realised that his motor-cycle has been stolen. The original papers of the motor-cycle were also in the diggy of the motor-cycle. Thus, request was made to take legal action. On the registration of the FIR, the investigation commenced. During investigation, investigating agencies found that one Anchit had purchased the stolen motor-cycle from a dealer. Thus, the statement of Anchit was recorded and he disclosed the name of the dealer as Babbu. On the investigation from dealer-Babbu, complicity of the petitioners surfaced. Thus, both the petitioners and 3rd accused namely Kuldeep Kumar were arraigned as accused in the FIR. Subsequently, they were arrested. Hardev Singh was arrested on 31.08.2024 and Jaskaran Singh was arrested on 01.09.2024. They approached the trial Court praying for grant of bail. However, the learned Addl. Sessions Judge, Sirsa declined the bail of Hardev Singh vide order dated 09.01.2025 and of Jaskaran Singh vide order dated 20.12.2024. Aggrieved, the petitioners have approached this Court praying for grant of bail by way of filing the present petitions.

3. It has been vehemently contended by learned counsel for the petitioners that the petitioners have been falsely and frivolously implicated in the present case. They submitted that neither the petitioners are named in the FIR nor any recovery has been effected from them. However, they have been implicated on the basis of the statement of some dealer. It is submitted that they are behind bars since the date of their arrest. There is one complaint registered under Section 138 of Negotiable Instruments Act against

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petitioner-Hardev Singh whereas petitioner-Jaskaran Singh is involved in another case registered under Section 379-B IPC but both the petitioners are on bail in these cases. Learned counsel for the petitioners submit that even otherwise, the FIR has been registered on account of some misunderstanding. Both the parties have amicably settled their dispute and all the three accused have filed a petition for quashing of FIR on the basis of the compromise bearing CRM-M-26898-2025, which is pending adjudication before this Court for 02.09.2025. It is submitted that investigation is complete and charges have also been framed. Thus, in the facts and circumstances of the case, petitioners deserve the concession of bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioners. He has submitted that during the investigation, the complicity of the petitioners have been duly established. The stolen motor-cycle has been recovered from the dealer. He submits that motor-cycle was sold to him by the petitioners after having stolen the same. On instructions, he submits that out of 18, 2 prosecution witnesses already stand examined. He has placed on record the custody certificates of the petitioners.

5. After hearing counsel for the parties and perusing the record, it is inferred that the petitioners were not named in the FIR. However, later on they have been arraigned as accused. As submitted before this Court, the parties have also compromised the matter and filed a petition for quashing the FIR on the basis of compromise, which is pending adjudication before this Court. On the other hand, investigation is complete and charges have

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also been framed. Out of 18, 2 prosecution witnesses also stand examined. As reflected from the custody certificates, both the petitioners have suffered incarceration of 08 months & 21 days as on 22.05.2025.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail to the petitioners.

7. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. It is being clarified that in case the petitioners do not furnish bail/surety bonds within a period of one week from today, their custody will not be counted in the present case after one week.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

23.05.2025
Janki

(RAJESH BHARDWAJ)
JUDGE

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