



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

249

CRM-M-8793-2025

Date of decision: March 1st, 2025

Parveen Singh @ Nikka

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ranwant Singh Sangha, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in FIR No.119 dated 04.09.2024 under Sections 310(2), 191(3), 190, 111, 303(2), 238 of the BNS, 2023 and Sections 25 and 27 of the Arms Act, registered at Police Station Chatiwind, District Amritsar Rural.

2. Learned counsel for the petitioner submits that the petitioner was neither named in the FIR in question nor any recovery of stolen articles effected from him. Therefore, it is evidently a case of false implication. The petitioner deserves the concession of bail, more so when the investigation in the present case is complete and challan stands presented. Learned counsel has also submitted that as many as 28 prosecution witnesses have been cited and, therefore, the possibility of the trial concluding in the near future is remote.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has reiterated the allegations levelled in the FIR, which stands reproduced hereinunder:

“Statement of Sukhdev Singh son of Nirmal Singh, resident of Kothi No.2, Roop Nagar, Gate Hakima, Amritsar, aged 55 years, mobile No. 94635-71101. Stated that I am a resident of above-mentioned address and we have cold store by the name of A.K. and our cold store is constructed in village Ibban Kalan and our cold storage is in the name of my wife of Parveen Kaur, sister in law Sukhdeep Kaur and Meena Arora wife of Happy Arora. In our cold store, different businessmen take spaces on lease and store dry fruit, kiriyana, pansari and other articles. There remains some labour and chowkidar in the night at our cold store. Today on 04.09.2024 at 4.37 AM, ie, early in the morning my contractor informed me on telephone that in the middle of the night between 1.30 AM and 4.30 AM, 20-25 unknown persons armed with weapons, after putting us in fear, locked us in a room and after breaking the locks inside as well as outside have stolen the articles from the cold store and have taken away by loading them. On this immediately I reached at our cold storage at Ibban Kalan and I found that 51 sacks of black pepper, each containing 30-30 Kgs, sacks of black Chana each containing 30 Kgs. cashew nuts 180 boxes, each containing 20 kgs cashew nuts, Tulsi brand cashew nuts 42 Boxes each containing, 20 Kgs, Ajeet Brand Aman 62 boxes, each containing 10 Kgs, dried plum 15 boxes each containing 16 Kgs, Kishmish 49 Boxes each containing 10 Kgs, DVR etc. had been taken away by some unknown armed persons. All the said articles belongs to Wareface trading Company, KBB Pvt. Ltd., MLS Nuts Pvt. Ltd., Shri Raj International, Tarn Overseas, Traders, Happy Enterprises, Shakti SMR International NEK Overseas, Rattan Chand. Kishan Chand and some other firms. In case there are some other articles missing, then we will cross check with the

records and will inform. That I was coming to inform you, alongwith my partner Happy Arora, when you met us, kindly take strict legal action against the unknown persons and our articles be got recovered.”

4. Learned State counsel, on instructions, has not disputed that the petitioner, who has been in custody since 10.09.2024, was not named in the FIR in question nor any recovery of stolen articles made from him. It has been further conceded, on instructions, by the learned State counsel that the petitioner came to be nominated as an accused on the basis of a disclosure statement allegedly suffered by Thana Singh. The stage of the trial has also not been disputed by the learned State counsel.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The investigation in the present case is complete, with challan having been presented. The petitioner has been in custody since 10.09.2024. With 28 prosecution witnesses cited, the possibility of the trial concluding in the near future seems unlikely.

7. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

March 1st, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

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