

CRM-M-9998-2025(O&M)

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2025:PHHC:048371



**110+233 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-9998-2025(O&M)
Date of Decision:08.04.2025**

JAGGA SINGH

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Piyush Setia, Advocate for the applicant/petitioner.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J.

CRM-14701-2025

For the reasons given in the application coupled with no objection pleaded on behalf of the State counsel, the present application is allowed and offences under Section 238 and 317(2) of BNS, 2023 be added in the head note and prayer clause of the main petition.

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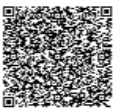
Prayer in the present petition under Section 483 of BNSS, 2023 is for grant of regular bail to the petitioner in case having FIR No.256 dated 04.12.2024 registered for the offences punishable under Sections 303(2), 338, 336(3), 340(2), 61(2), 238 and 317(2) of BNS, 2023 at Police Station City-I Abohar, District Fazilka.



2. The allegations in brief are that police received secret information against the present petitioner and co-accused Soni that they used to commit theft of motorcycles around Abohar city and one Gurpreet Singh, who was running a motorcycle agency was preparing fake duplicate Registration Certificates of said stolen motorcycles and to sell them in the market. During investigation, the petitioner was arrested on 06.12.2024.

3. Counsel appearing on behalf of petitioner *inter alia* submits that petitioner is falsely implicated in the present case and during investigation, no stolen article or any other incriminating substance was recovered at the instance of the petitioner, who is in custody for the last more than 4 months and is having no criminal history. That co-accused Varinder Singh @ Barinder Singh @ Bhinder Singh is already given concession of regular bail by the Coordinate Bench of this Court vide order dated 27.03.2025 in CRM-M-11954-2025. It is further submitted that on completion of investigation, police has presented challan but it will take time for the trial to conclude. That in the given circumstances, no fruitful purpose is going to be served by prolonging the judicial custody of the petitioner for any longer period.

4. The present petition is contested by the State counsel, who submits that the petitioner is specifically named in the FIR and as per allegations, he along with one other accused committed theft of motorcycles and then to deliver the same to Gurpreet Singh and further



Gurpreet Singh prepared forged documents and then to dispose them of in the market to innocent persons. However, the State counsel has not disputed the fact that the petitioner is behind bars for the last more than 4 months and that during investigation, no stolen article or forged document was recovered at the instance of the present petitioner. The State counsel has also not disputed the fact that on culmination of investigation, challan has been presented by the police but the trial is at its initial stage.

5. I have considered the submissions made by the counsel for the parties.

6. In the given circumstances as no incriminating article was recovered at the instance of the petitioner during investigation and further the petitioner is incarcerated for the last more than 4 months and it will take considerable time for the trial to conclude, no gainful purpose is going to be served by keeping the petitioner in custody for any longer period.

7. In light of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

08.04.2025

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No