



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

CRM-M-63806-2024
Date of decision: 21.02.2025

Amit

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Vinod Ghai, Sr. Advocate with
Mr. Arnav Ghai, Advocate for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483 BNSS 2023 seeking grant of regular bail in case having FIR No.227 dated 14.07.2024, under Section 303(2), 317(2) (wrongly mentioned as 317(4) in impugned order dated 26.11.2024) 318(4), 336(2), 336(3), 338, 340(2), 61(2) of BNS 2023, Police Station Sohana, District Mohali.

2. The FIR in this case was registered against one Ramesh Kumar on the basis of the statement recorded by Amritpal wherein it was alleged that he (Amritpal) is dealing in sale and purchase of second hand cars and aforesaid Ramesh Kumar was known to him. That Ramesh Kumar handed over three cars to him for the purpose of sale and thereafter, Ramesh Kumar took away two of the said cars but third car remained with the complainant. On this, the complainant got suspicious and on inquiry came to know that



Ramesh Kumar was indulging in theft of cars and then to sell them by preparing fake documents. During investigation, the name of the present petitioner also surfaced and he was arrested and he got effected recovery of four stolen vehicles.

3. The Senior counsel appearing on behalf of the petitioner submits that the petitioner is falsely implicated in the present case and is in custody for the last about 7 months and on completion of investigation, police has presented challan but the trial will commence only after the charges are framed against the accused persons. It is further submitted that the detention of the petitioner in judicial custody for any longer period is not going to serve any purpose.

4. The present petition is resisted by the State counsel who submits that in the present case, recovery of 9 stolen cars was effected out of which, four cars were recovered at the instance of the present petitioner. However, the State counsel has not disputed the fact that the petitioner was not named in the FIR and was later on nominated as an accused and is in custody for the last about 7 months.

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

6. Admittedly, the petitioner was not named in the FIR and was later on impleaded as an accused. During investigation, the petitioner was arrested and the recoveries are already effected in this case. On completion of investigation, police has presented final report against the accused persons including the present petitioner who is behind bars for the last about 7 months. Till date, charges are not framed and trial will commence only

after the framing of charges against the accused persons. Thus, it will take time for the trial to conclude. Having regard to the aforesaid facts and circumstances of the case, no useful purpose is going to be served by keeping the petitioner in custody for any longer period.

7. In view 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.

21.02.2025
Yogesh

(KARAMJIT SINGH)
JUDGE

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