

Kulwinder Singh Vs. State of Punjab

Present: Mr. Satwir Singh, counsel for applicant/petitioner.
Mr. Amarjit Syal, Addl. PP for the State.

ASI Mangu Singh is present along with police record and placed on record written report.

Learned counsel contends that petitioner has purchased a vehicle from Budh Singh on the basis of an agreement dated 8.7.2019 but, thereafter, said vehicle was stolen on 1/2.4.2021. Later on, this truck was parked on the road leading to Industrial Area, ITI Chowk, Bathinda by the thief who had put some other registration number on the said vehicle. He asserted that how the petitioner could use another number and why, when it was stolen much before the date of occurrence i.e. 8.7.2019 of the present FIR. He further submits that applicant/petitioner is ready to join the investigation of the case and disclose the entire facts to the IO and interalia prayed for interim bail.

Record reveals that applicant/petitioner has not denied purchase of vehicle in question from the complainant but has relied upon copy of another FIR bearing No. 470 dated 3.4.2021 U/s 379 IPC, lodged at P.S. Lasuria, Distt. Indore on his behalf with the allegations that said vehicle (purchased from complainant) was parked on 1.4.2021 at Devas Naka, Lasuria and its keys were handed over to conductor Beraggi Singh which was found stolen on 2.4.2021 from the said place. That conductor Beraggi Singh might have stolen his truck. This FIR was lodged by cousin brother of the petitioner. Father of petitioner (a blind man) was also accompanying his cousin at that time.

The present FIR is related to occurrence dated 8.7.2019 that complainant was told by the petitioner that his truck had been stolen which was found parked at ITI Chowk, near Industrial Area road and another number plate was installed on it.

In view of the above peculiar facts, but without expressing any opinion on the merits, **the applicant/petitioner is directed to surrender before**

Rakesh Gupta,
Addl.SJ/BTI

the IO within period of seven days. In case of his arrest in this case, he be released on interim bail to the satisfaction of the IO/Arresting Officer, subject to the following conditions:-

- (i) that the applicant shall make himself available for investigation as and when required by the IO;
- (ii) that the applicant shall not leave India without prior permission of the court;

Case is adjourned for 20.8.2021 for awaiting report of surrender from the IO, who will appear along with the police file.

Pronounced : 11.8.2021

(Rakesh Gupta)
Additional Sessions Judge,
Bathinda.(UID No. PB-0124)

Suraj Mohan, SG-II

Rakesh Gupta,
Addl.SJ/BTI