

In the Court of Sardar Harjeet Singh,
Additional Sessions Judge, Amritsar.
(Unique Identification No. PB0131)

Case Type	BA	
Filing No.	BA/5389/2021	Date: 02.06.2021
CNR No.	PBAS010070362021	
CIS Number	BA/3043/2021	
Date of Order	05.07.2021	

State of Punjab.

Versus

Harjinder Singh alias Jinder son of Kulwant Singh, resident of village Bohja,
P.S. Ghuman, Tehsil Batala, Distt. Gurdaspur.

.....Applicant/accused.

FIR No. 12 dated 13.05.2021
Under Sections 399, 402, 120-B, 148, 149 of IPC & 25 of
Arms Act
Police Station: SSOC, Amritsar.

Bail Application under Section 439 of Cr.P.C.

Present: Shri Shashiveer Sharma, Counsel for the applicant-accused.
Shri N.K. Gupta, Addl. PP for the State.

ORDER

Vide this order, I intend to dispose of bail application under
Section 439 Cr.P.C. filed by applicant-accused Harjinder Singh alias Jinder
in the FIR mentioned above.

Police record received and perused.

Learned Counsel for the applicant-accused argued that
applicant-accused is innocent and he has been falsely implicated in this case.
He was not present at the place of alleged occurrence and there is no

evidence to connect him with the alleged offence. Applicant-accused is in custody since 13.05.2021. The presentation of challan and completion of trial will take time. He argued that no useful purpose would be served by keeping the accused behind the bars and prayed that bail application be allowed.

On the other hand, learned Addl. PP for the State opposed the bail application and argued that FIR has been registered on true facts and it is not a fit case, where concession of bail can be given to accused and prayed that bail application be dismissed.

I have considered the submissions of learned Counsel for the applicant-accused and learned Addl. PP for the State.

The FIR was registered on the basis of secret information that Ranjodh Singh alias Bablu son of Tejpartap Singh, Amritpal Singh alias Ammu son of Kashmir Singh, Harwinder Singh alias Kalu son of Gajjan Singh, Harjinder Singh alias Jinder son of Kulwant Singh, Suraj alias Manjinder Singh son of Kamaljit Singh, Sachin son of Gurmej Singh, Mangu son of unknown and some other companions formed a gang and they used to sell heroin and commit snatching etc and they have received illegal weapons from Indore, Madha Pradesh and they are preparing to commit a big criminal incident. If raid is conducted, they can be apprehended. Accordingly, raid was conducted and accused were arrested.

During investigation, one .32 bore pistol and five cartridges were recovered from the applicant-accused. Applicant-accused is in judicial custody since 13.05.2021. The presentation of challan and completion of trial will take lot of time. No useful purpose would be served by detaining the applicant-accused behind bars for an indefinite period. So, in these circumstances, as criminal liability of applicant-accused is to be gauged during the course of trial, so, without much commenting upon merits of the case, bail application is allowed and applicant-accused Harjinder Singh alias Jinder is ordered to be released on bail on furnishing personal bonds in the sum of Rs. 1 lac with one surety in the like amount to the satisfaction of learned Illaqa/Duty Magistrate with following conditions:-

- (i) that applicant shall not leave the country without prior permission of the Court;
- (ii) that he shall appear in each and every date of hearing;
- (iii) that he shall not tamper with the prosecution evidence.
- (iv) In addition to the above referred directions, in view of the outbreak of Corona Virus (COVID-19), the applicant is also directed to maintain social distancing and to obey the guidelines issued in this regard by the competent authorities during continuance of such outbreak.

Copy of this order be sent to the learned Illaqa Magistrate. Bail application file be consigned to the record room.

Dated: 05.07.2021

** janesh **

(Harjeet Singh),
Additional Sessions Judge,
Amritsar.

(Unique Identification No. PB0131)