

**In the court of Shri Hira Singh Gill
Addl. Sessions Judge, Jalandhar.
UID No (PB0153)**

B.A. No.3012/2020
Filing No.5684/2020
CNR No.PBJL01-007872-2020
Date of Filing: 11.8.2020
Date of Order: 7.10.2020.

Jatinder Singh @ Sonu aged about 31 years son of Hussan Lal,
resident of villae Balalon Tehsil Phagwara District, Kapurthala.

..Accused/applicant

Versus

State of Punjab

FIR No.05 dated 14.1.2016
U/s 399,402,384,109,120-B IPC and
under section 25,27,54,59 Arms Act
PS Goraya, Jalandhar.

[Application for Bail U/s 439 of Cr.P.C.]

Present: Shri Rajiv Suri, Adv for accused/applicant on V.C.
Shri Nikhil Nahar, APP for the State on VC.

ORDER:

1. The instant bail application has been filed under section 439 CrPC, praying for grant of regular bail to the accused/ applicant in case FIR No.05 dated 14.1.2016 under section 399,402,384,109,120-B IPC and under section 25,27,54,59 Arms Act, registered at police station Goraya, Jalandhar.
2. The summery of the case of prosecution is that Inspector Jatinderjit Singh had received a secret information that Gaurav Sharma @ Goru Bachhu, accused/applicant Jatinder Singh, Lakhwinder

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Singh, Harminder Singh, Jagtar Singh, Kuldeep Singh, Kapal Bhasin and Ravinder Singh had assembled at an abandoned brick kiln. They were armed with deadly weapons and were contemplating to commit dacoity. Davinder, Joginder Pal, Sada Nand and Saurav had gone there to give ransom to the abovesaid persons to take revenge from the persons, who had caused injuries to Arun Kumar. Inspector Jatuinder Singh sent ASI Nirmal Singh and HC Raj Kumar to hear the inter-se conversation between the accused/applicant and his accomplices. On their return, they narrated the conversation heard by them. Then the police party conducted a raid at the disclosed place and arrested the accused/applicant and his accomplices. Two pistols and a rifle were recovered from Gaurav Sharma. Two pistols were recovered from accused/applicant Jatinder Singh and Randhir Singh @ Rana. A country made pistol was recovered from Lakhwinder Singh @ Lakha. Another country made pistol was recovered from Harminder Singh @ Ravi. A pistol along with two cartridges were recovered from Kuldeep Kumar. A pistol along with two cartridges were recovered from Jagtar Singh. A pistol along with two cartridges were recovered from Ranbir Singh.

3. The case of the accused/applicant is that he is innocent and has committed no offence. He has been falsely implicated. The accused/applicant has been arrested by the police and was sent in judicial custody in case FIR No.92 dated 20.6.2016 under section 307 IPC. No recovery of any weapon of offence or any other article has been effected from the accused/applicant. The accused/applicant be released on bail.

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4. While on the other hand, learned APP for the State contested the bail application by submitting that offence is serious one, so the accused/applicant may not be released on bail.

5. I have considered the rival submissions and have also gone through the file.

6. In this case, the accused/applicant was granted bail and he absented from the trial on 23.6.2016, subsequently, it was reported that he was in custody in some other case. Production warrants of accused Jatinder Singh were sent from 31.3.2017, but ultimately, he was produced in the court on 26.11.2019. The accused/applicant has been in custody for a considerable time. The conclusion of trial will take its own time, especially due to outbreak of pandemic Covid-19. It is matter of evidence whether the preparation for robbery or dacoity was made by the accused/applicant. Only the country made pistol was recovered from the accused/applicant. It is also not the case of the prosecution that if accused/applicant is released on bail, he would influence the prosecution witnesses or flee from trial. All the witnesses are the official witnesses.

7. Keeping in view of these factual circumstances, the bail application of accused/applicant succeeds and he is directed to be released on bail on furnishing bail bonds in the sum of ₹60,000/-with two sureties of the like amount, subject to the following conditions:

- a) That he will not tamper with the prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any of the person acquainted with the facts of the case, dissuading him from disclosing the same to the court/ investigating agency; and

- b) That he will not leave the limits of India without prior permission of the court.
- c) That he will appear in the court on each and every date of hearing.

8. Bail application file be attached with the main case file.

Pronounced in open court.

Dt 7.10.2020.

Sukhwinder Singh

(Hira Singh Gill)

Addl. Sessions Judge,

Jalandhar. UID No (PB0153)

Hira Singh Gill

Addl. Sessions Judge, Jalandhar.

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Present: Shri Rajiv Suri, Adv for accused/applicant on V.C.
Shri Nikhil Nahar, APP for the State on VC.

Arguments heard. Vide my separate detailed order of even, date,
bail application has been allowed of as detailed therein. Bail application file be
attached with the main case file.

Pronounced in open court.
Dt 7.10.2020.
Sukhwinder Singh

(Hira Singh Gill)
Addl. Sessions Judge,
Jalandhar. UID No (PB0153)

Hira Singh Gill
Addl. Sessions Judge, Jalandhar.