

**IN THE COURT OF MS.SANJEETA,
ADDITIONAL SESSIONS JUDGE,
BATHINDA (UID:PB-0177).**

CRN PBBT01-007286-2020.
CIS No.BA-3025 of 2020.
Date of Order: 05.11.2020.

Bahal Singh, aged about 28 years son of Makhan Singh, r/o Patti China
Seman, Bathinda.

.....Applicant/accused.

Versus

State of State

FIR No.201 dated 13.10.2020.
Under Section: 399, 402, 379B IPC
and 25 Arms Act.
Police Station: Nathana, Bathinda

Bail application u/s 438 Cr.P.C.

Present: Sh.R.S.Sukhladhi, Advocate, Counsel for applicant/ accused
(through VC).
Sh.M.S.Sidhu, Addl. PP for the State.

- 1) This order of mine shall dispose of first anticipatory first
anticipatory bail application filed by the applicant in the above noted FIR.
- 2) Ld.counsel for the applicant has submitted that the FIR had
been registered against applicant and other accused on the basis of secret
information that they are habitual of committing dacoities. Applicant had not
been nominated initially but was falsely implicated lateron. Applicant has
his right leg fractured and he remained admitted in GGS Medical College
and Hospital, Faridkot on 27.3.2013 and was discharged on 14.4.2014 with
rod in his leg. Applicant is not in a position to walk properly and as such, has
no connection with the commission of offence. He has prayed for acceptance
of bail application.

3) On the other hand, learned Addl.PP has opposed the bail application alleging that applicant alongwith his co-accused have been committing robberies. Present applicant had been nominated on the statement of Chamkaur Singh. Recovery of the stolen goods is yet to be effected from him. So, he deserves no concession of being released on bail.

4) Perusal of the file reveals that the instance case was registered on the basis of secret information received by ASI Jaswinder Singh that Gursharan Singh @ Jahli, Gobind Singh, Lovepreet Singh @ Lavi, Jasvir Singh, Lovepreet Singh @ Happy, Sikander Singh @ Baggi, Gobind Singh, Kalu Singh, Kuldeep Singh, Surinder Singh @ Happy, Lachhman Singh have formed a gang and armed with deadly weapons, they threatened the people and snatched cash, gold ornaments etc. from them. They further commit dacoities at the houses of people and in case raid is conducted, they can be apprehended near the brick kiln situated on the Poohla-Bath link road. The secret information led to the apprehension of two motorcyclists having two pillion riders. One motorcyclist disclosed his name as Lovepreet Singh @ Lavi with pillion rider as Lachhman Singh and other motorcyclist disclosed his name as Gobind Singh with pillion rider Jasvir singh. They were not in a position to produce the documents qua the motorcycle, which was then taken into police possession.

5) On the disclosure statement of Gobind Singh, he got recorded Kappa used by him in committing robberies. Lovepreet Singh @ Lavi pursuant to the disclosure statement got recorded hockey. On the basis of statement of Chamkaur Singh qua the involvement of Deepu Giani, Lovely @ Rokar, Sukhchain Singh @ Chaina and Bahal Singh @ Bahla son of

Makhan Singh as well as Jagjit Singh @ Balle Balle, said persons were nominated as they also indulged in the incidents of snatching cash, motorcyclists, mobiles etc. Jagjit Singh @ Balle Balle and Lovepreet Singh @ Happy was then arrested and from them a pistol 315 bore alongwith two live cartridges and iron axe and without number Hero Honda Splendor were recovered. Pursuant to the disclosure statement made by Lovepreet Singh @ Happy, he got recovered cash worth Rs.10,000/- and two mobile phones of Intex and Intel Company apart from one motorcycle Bajaj Platina. The disclosure statement made by Jagjit Singh @ Balle Balle, led to the recovery of cash worth Rs.15,000/-, three mobile phones and a motorcycle Hero Honda Splendour motorcycle having no number plate. Disclosure statement of Lachhman Singh @ Babbu led to the recovery of Rs.25,000/-, three mobile phones, one air pistol and one motorcycle without number.

6) So, keeping in view the statement of Chamkaur Singh, on whose testimony Jagjit Singh @ Balle Balle and Lovepreet Singh @ Happy and Lachhman Singh @ Babbu were arrested and recovery was effected from them, I find that custodial interrogation of applicant is also required for the recovery of stolen goods. Hence, no ground is made out to grant applicant concession of anticipatory bail. Hence, the instant bail application stands dismissed. File be consigned to the record room.

Pronounced:
Dt.05.11.2020.

Kulwinder Singh,
Stenographer-II

(Sanjeeta),
Addl. Sessions Judge,
Bathinda(UID:PB0177).

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Bahal Singh versus State

Present: Sh.R.S.Sukhladhi, Advocate, Counsel for applicant/ accused
(through VC).
Sh.M.S.Sidhu, Addl. PP for the State.

Arguments heard. Vide my separate detailed order of even
date, the bail application stands dismissed. File be consigned to the
record room.

Pronounced:
Dt.05.11.2020.

Kulwinder Singh,
Stenographer-II

(Sanjeeta),
Addl. Sessions Judge,
Bathinda(UID:PB0177).