

IN THE COURT OF HARPREET KAUR RANDHAWA(UID-PB0038) SESSIONS JUDGE, TARN TARAN

**CNR No.PBTT01/003037-2020
B.A. NO. 168 OF 2016
DATE OF DECISION : 24.08.2020**

Avtar Singh son of Jaspal Singh resident of Jandiala chownk near Tyer Wali Shop, District Tarn Taran.

..... Accused/applicant

vs.

State of Punjab

..... Respondent

FIR no. 168 dated 09.09.2016
U/s 379-B, 34 of IPC
P.S. City Tarn Taran

Bail Application u/s 439 Cr.P.C.

Present: Sh. Gaurav Chopra, Advocate, counsel for accused/applicant through video conference
Sh. Parmod Kumar Sharma, Public Prosecutor for the State through video conference

Order

This order of mine is going to dispose off the bail application filed by accused/applicant Avtar Singh son of Jaspal Singh u/s 439 Cr.P.C in the FIR no. 168 dated 09.09.2016 for the alleged commission of offences under sections 379-B, 34 of IPC registered at Police Station City Tarn Taran.

2. The present case was registered on the statement of complainant Lakha Singh son of Nazar Singh to the effect that on 09.09.2016 at about 2:00 P.M., he was purchasing vegetables in the area of Char Khamb Chownk, Tarn Taran and when he was making the payment to the vendor then two persons came on a motorcycle bearing no. PB-46-P-8319 Platina, who were earlier known to him. One was Sangram Singh son of Amar Singh, who was driving the motorcycle and Avtar Singh son of Jaspal Singh was the pillion rider. Thereafter, they snatched the purse of the complainant

containing Rs. 500/- and some documents and fled away. Action be taken.

3. It is stated in the bail application that the accused-applicant has been falsely implicated in this case. Nothing incriminatory has been recovered from the possession of the accused-applicant. The accused-applicant has been arrested on 10.12.2019 and since then he is in judicial custody. Accused/applicant cannot be kept behind bars for an indefinite period. Accused/applicant undertakes to abide by all the terms and conditions as imposed by this court. As such, a prayer for release of accused/applicant on regular bail has been made.

4. Notice of bail application was given to Public Prosecutor for the State, who has appeared through video conference and strongly opposed the bail application and prayed that present bail application may be dismissed.

5. I have gone through the record carefully and considered the contentions of learned counsel for accused/applicant and rival submissions of learned Public Prosecutor for the State.

6. As is apparent from the record, the allegations against the accused-applicant are that he along with his co-accused had snatched Rs. 500/- from the purse of the complainant. Accused-applicant has been arrested in this case on 10.12.2019 and since then he is in judicial custody. Further, the challan has already been presented against the accused-applicant and other co-accused and case is fixed for appearance of accused Sangram Singh. No useful purpose will be served by keeping the accused/applicant behind the bars for an indefinite period as conclusion of trial will certainly take some time. Thus, considering all these facts and circumstances and further considering the fact that Covid-19 cases are on rise even in jails, it is desired

that accused-applicant be released on bail. Learned counsel for the accused-applicant has requested that due to outbreak of novel Corona virus (COVID-19), accused-applicant may be allowed to furnish his personal bail bonds. Hence, considering the request of the accused/applicant and due to outbreak of novel Corona virus (COVID-19), the accused/applicant is ordered to be released on bail on furnishing his personal bail bonds in the sum of Rs. 50,000/- before the Superintendent of the concerned central jail with the undertaking that accused-applicant will furnish one surety in the same amount within the period of one month from today subject to following terms and conditions:-

- (i) That applicant shall attend court on each and every date of hearing;
- (ii) That applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.
- (iii) That applicant shall not leave the country without prior permission of court.

7. With these observations, the present bail application stands allowed.

8. Before parting with this order, it is made clear that nothing contained above shall be taken as an expression of mind on the merits of main case and is strictly for the purpose of decision of this bail application. Copy of this order be sent to the Superintendent, Central Jail concerned for compliance. The record of bail application is ordered to be attached with the main file.

Pronounced on 24.08.2020

(Harpreet Kaur Randhawa),
(UID-PB0038)
Sessions Judge,
Tarn Taran.