

**In the court of Shri Hira Singh Gill
Addl. Sessions Judge, Jalandhar.**

UID No (PB0153)

B.A. No.1867/2020
Filing No.3816/2020
CNR No.PBJL01-005141-2020
Date of Filing: 23.5.2020
Date of Order: 15.6.2020.

Manish Kumar @ Nanna aged 27 years son of Bittu, resident of
WP-49, Basti Sheikh Mochiyan Mohalla. P.S. Division No.5,
Jalandhar.

.....Accused/applicant

Versus

State of Punjab

FIR No.116 dated 5.8.2019
U/s 379-B, Section 411, 34 IPC added
later on 6.8.2019 vide DDR No.57
P.S. Division No.5, Jalandhar.

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

Present: Shri J.S. Gill, Advocate for accused/applicant through
V.C.
Shri Manoj Kumar, Addl. PP for the State.

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.116 dated 5.8.2019 under section 379-B, 411, 34 IPC,
registered at police station Division No.5, Jalandhar.

2. The case of the prosecution is that FIR was registered on
the statement of complainant Naresh Kumar, who stated that on 5.8.2019
at about 12:05 PM, while he was going from his residence to bring his

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daughter, on the way he saw that one motorcyclist Nanna swiftly cross him. He was followed a girl namely Geetika, who was running after him and raising roulla that her mobile phone mark OPPO-A-57 was snatched by that motorcyclist.

3. The case of the accused/applicant is that he has been falsely implicated and has committed no offence. The accused/applicant was never present on the day of alleged occurrence. The accused/applicant has a good reputation in the society. The accused/applicant has been in custody since 6.8.2019. It was further submitted that father of the accused is suffering from piles and minor child of the accused/applicant is under the regular treatment of doctor. It was prayed that accused/applicant be released on bail.

4. While, on the other hand, the bail application was contested by learned APP for the State by submitting that FIR is by name. The accused/applicant has been identified by the complainant. The mobile phone has been recovered from the accused/applicant. The accused/applicant has also been identified by the victim. Keeping in view the gravity of the offence, a case for granting bail to accused/applicant is not made out.

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

6. First bail application of the accused/applicant was dismissed on 13.2.2020. Present bail application was filed with two new grounds that father of the accused is suffering from piles and minor child

of the accused/applicant is under the regular treatment of doctor. There is no medical document on the file in support of these contentions.

7. The allegation against the accused/applicant is that he snatched the mobile phone from the daughter of the complainant. Both complainant and victim identified by the accused/applicant. The alleged recovery has also been effected from the accused/applicant. More than prima facie evidence is there against the accused/applicant that he has committed the offence in question. Keeping in view nature and gravity of offence i.e. offence of snatching from girl raises alarm to the general public, a case for granting the bail to accused/applicant is not made out at this stage. Therefore, the bail application of accused/applicant is dismissed. Bail application file be attached with the main case file.

**Pronounced in open court.
Dt 15.6.2020.**

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

Sukhwinder Singh

Hira Singh Gill
Addl. Sessions Judge, Jalandhar

CNR No.PBJL01-005141-2020

Present: Shri J.S. Gill, Advocate for accused/applicant through
V.C.
Shri Manoj Kumar, Addl.PP for the State.

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

Pronounced in open court.
Dt.15.6.2020.

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

Sukhwinder Singh

Hira Singh Gill
Addl. Sessions Judge, Jalandhar