

**In the Court of Manpreet Kaur,
Sub Divisional Judicial Magistrate, Ajnala**

CNR No. PBASA10017402024



Case No. BA/296/2024

Presented on : 27-08-2024
Registered on : 27-08-2024
Decided on : 31-08-2024

State Vs. Gurwinder Singh

FIR No.62 dated 08.06.2024

U/s 379 of IPC

PS Raja Sansi.

Present: Sh.G.S Johal Advocate for applicant/accused
Gurwinder Singh
Sh. Amandeep Singh, ld. APP for the State.

ORDER:

Heard on the bail application of applicant/accused Gurwinder Singh. It is averred in the application that the applicant is innocent person and has been falsely implicated in the above said case by police. The applicant has not committed any offence as alleged in the FIR. The applicant was arrested in this case and was produced before the Hon'ble Court and sent to judicial custody on 07.08.2024 in the above said case. No recovery has already been affected from the applicant and nothing is to be recovered from the applicant. Co-accused has already been released on bail by this court. No useful purpose will be served by detaining the applicant behind the bars. The presentation of challan and completion of trial is likely to take a long time. The applicant undertake to appear in the above said case regularly, if he is released on bail. The applicant undertakes not to likely abscond in the above said case, if he is released on bail. The applicant will abide by all the terms and conditions imposed by this Court. This is regular bail application of the applicant and at present, no such bail application of the applicant is pending in the Hon'ble Sessions Court or in the Hon'ble Punjab and Haryana High Court, Chandigarh. So, prayed to allow the bail application.

2. Instead of filing reply to the application, ld.APP for the State, orally stated that the accused/applicant is not entitled to concession of bail as the allegations levelled against the accused are serious in nature. So,

prayed to dismiss the bail application of accused-applicant. As per statement suffered by ASI Baldev Singh, no any bail application is pending in any other court of law and no offence added except U/s 379 IPC in this case.

3. This Court has gone through the averments of the application as well as material available on record. This Court has also heard the arguments of ld. counsel for the accused and ld. APP for the State and has further gone through the legal preposition which are required to be taken into consideration for the just decision of the present application.

4. Perusal of FIR shows that on dated 06.08.2023, ASI Parminder Singh alongwith his police party in connection with patrolling and search of bad elements were present at village Kotli Sakka, where informer came present before IO and gave a secret information that on dated 30.05.2023 the theft regarding gearing of gate was done by Gurwinder Singh s/o Surjit Singh, Gursewak Singh @ Guggi s/o Bola Singh, Jasan Singh s/o Kala all r/o Othian were standing in adda Othian. If nakabandi be held, they can apprehended alongwith gearing of gate. Then, IO along with his police party held a naka and apprehended the accused alongwith Gearing of gate.

5. Undisputedly, recovery has already been effected from the possession of accused. He is no more wanted by the police for further interrogation or investigation. The presentation of challan and conclusion of trial will take time. As such, no useful purpose would be served by keeping the accused behind bars. Hence, the accused-applicant Gurwinder Singh is ordered to be released on bail on furnishing bail bonds in the sum of Rs.60,000/- with one surety in the like amount with the condition that the accused shall not temper with the evidence and shall not leave the country without prior permission of the Court. Bail bonds and surety bonds not furnished. Now to come up on date already fixed i.e. 04.09.2024.

Announced in open court.
Dt. 31.08.2024.
Upinder Shukla St Gr:II

(Manpreet Kaur), PCS
Sub Divisional Judicial Magistrate,
UID No:PB0367/Ajnala.