

IN THE COURT OF SMT. PARAMJIT KAUR, ADDITIONAL
SESSIONS JUDGE, TARN TARAN.

CNR No.PBTTO100-5016-2019
CIS No.BA/2954/2019
Bail Application No.688/9.10.2019
Decided on : 22.10.2019

State of Punjab

Versus

Harpreet Singh alias Happy son of Baljit Singh, resident of village
Mehdipur, Police Station Khem Karan, Tehsil Patti, District Tarn Taran.

(Applicant-accused)

FIR No.74 dated 25.4.2019
U/s 379-B (2)/411/201 of IPC
Police Station : Sadar Patti.

BAIL APPLICATION U/S 439 Cr.P.C.

Present: Shri A.K.Sharma, Advocate, Ld. Counsel for the applicant-
accused
Shri Inderpal Singh Sandhu, Ld. Additional Public
Prosecutor for respondent/State of Punjab

ORDER

1. This order of mine shall dispose off bail application filed by applicant-accused, under Section 439 of the Cr.P.C. in case FIR No.74 dated 25.4.2019, U/s 379-B (2) /411/201 IPC, registered at Police Station Sadar Patti.
2. Notice of the bail application was issued to the Ld. Additional Public Prosecutor for the State and record was also requisitioned.
3. I have heard the Ld. Counsel for applicants-accused and the Ld. Additional Public Prosecutor for the State and have gone through the record.
4. It has been argued by Ld. Counsel for the applicant-accused that the challan of the present case has been present before the Ld. Lower court. The applicant-accused is in judicial custody since 11.6.2019 and is no more

required by the police for further interrogation and investigation. The applicant-accused falsely implicated in this case due to party friction of the village. Applicant-accused is innocent persons. Nothing has been recovered from the applicant-accused. There is no likelihood of the applicant-accused to abscond or to temper with the prosecution evidence in the event of admitted to bail. No useful purpose shall be served by sending the applicant-accused issued by this court. The applicant-accused undertakes to abide by the directions issued by this court. So he may be admitted to bail.

5. On the other hand, Ld. Additional Public Prosecutor for the State has opposed the bail application on the ground of seriousness and gravity of the offence. The Ld. APP for the State has further argued that the antecedents of the applicant is clear from the offence has been committed. All the accused persons personally encircled the victim and then took out his purse from his pocket and his mobile phone from the purse and they are removed the Rs.1000/-. The applicant and his co-accused armed with sharp weapon at that time and they gave kirpan blow to the complainant which hit on his motor cycle as the complainant get aside. So, looking into the conduct of the applicant, he is not entitled to the concession of bail.

6. As revealed from the record, there are allegations against the applicant and his co-accused that on 24.4.2019 complainant Lakhbir Singh was going on his Hero Honda Motor Cycle bearing No.PB-46-N-4671 for dropping his sister Sukhwinder Kaur at her home at village Kotali Wasava Singh. On his return at about 8:30 P.M three young boys came on another motor cycle bearing No. PB-38-C-6534 from front side. The motor cycle was run by Harpreet Singh, Sukhpal Singh alias Judge were sitting behind him and Parvesh Kumar armed with datar was sitting behind Sukhpal Singh. All of them encircled the complainant Lakhbir Singh, Sukhpal Singh and

Parvesh Kumar caught hold him from his arms and Harpreet Singh took on his purse, mobile phones from his pocket. His purse was containing Adhar Card, Pan Card, R.C of the Motor Cycle bearing No.PB-46-A-9375. When he raised alaram, Mukhtiar Singh came there. Then Sukhhpal Singh and Parvesh Kumar blows of Kirpan but he saved himself and kirpan landed on his motor cycle. Then he ran towards fields to save himself. Accused Harpreet Singh had taken his motor cycle and all accused fled away on both motor cycles. As per the version of Ld. Counsel for applicant recovery has already been effected and the accused is in custody since long. The conclusion of trial may take long time. In view of this court, the applicant is accused of serious offence, it is matter of common knowledge that such incidents are on high rise these days and has caused fear in the people. Culprits of such like offences do not deserve any leniency from the Court. This is second bail application moved by the applicant. In view of this court, there is no change in circumstances on the second occasion and also the allegations against the applicant are grave and serious in nature. So, without commenting on merits, the present bail application is hereby dismissed. Papers be attached with the main file pending before this Court.

Pronounced in open court:

Dated : 22.10.2019

Inderjit Singh Steno Gr.I

Paramjit Kaur
Additional Sessions Judge, Tarn Taran
UID-PB-0134

