

**In the Court of Jaswinder Sheemar, Additional Sessions Judge,
Hoshiarpur. (UID No.PB-0093).**

BA No.2979 of 2023
CNR No:PBHO01009337 of 2023
Decided on:-06.11.2023

Sandeep Singh son of Satpal Singh, aged 29 years, resident of village
Khokhar Dwakhri Khudda, District Hoshiarpur.

.....Bail Applicant

Versus

State of Punjab.

.....Respondent

**FIR No.294 dated 22.09.2023
Under Sections 379-B & 411 of the IPC
Police Station Tanda, District Hoshiarpur**

First Bail Application Under Section 439 Cr.P.C.

Present: Shri Ajay Goyal, Advocate for the bail-applicant
Shri Charanjit Singh, Addl. Public Prosecutor for the State.

ORDER:

This is a bail application filed on behalf of **bail applicant** in
the above referred FIR case.

2. **Notice** of the bail application was issued to the State through
Learned Additional Public Prosecutor of the State, who put in appearance
and contested the bail application.

3. Report of Ahlmad has also received, vide which it is reported
that no other bail application is pending or decided as per the website of
Hon'ble High Court of Punjab & Haryana, Chandigarh.

4. The police record was requisitioned and perused.

5. I have heard the Learned Additional Public Prosecutor for
State and the Learned Counsel for bail-applicant and have gone through the
police record.

6. From the record, it comes out to surface that police machinery

Jaswinder Sheemar,
Addl. Sessions Judge,
Hoshiarpur- UID No.PB-0093

was set into motion by one one **Suresh Kumar (complainant)** by way of getting the present FIR registered, under Sections 379-B & 411 of the **IPC**, against **Sandeep Singh (bail applicant)** originally, on the allegations that on **22.09.2023**, he went to Tanda in order to get grocery items. When, he was near Bus Stand, his mobile phone containing Sim No. 83608-49759 got switched off, as such, complainant put it in its box in envelope. Meantime, one clean shaven person wearing 'Pajama' and check shirt, suddenly **snatched envelope** from his hand and fled away from the spot. Efforts were made to catch him, but all in vain. Therefore, matter was reported to the police.

7. From the record, it comes out to surface that bail applicant was arrested on **22.09.2023** and recovery of mobile phone snatched from the complainant has already been effected. **The bail applicant** is in judicial lock up since **22.09.2023**. Observing that the presentation of challan and thereafter conclusion of trial is going to take indefinite time, for which **bail applicant** cannot be allowed to languish in jail. Moreover, Rule is bail not Jail. Furthermore, State exchequer is involved.

8. Therefore, in view of the facts and circumstances above discussed, I deemed this case fit where **bail-applicant** is entitled to regular bail. Accordingly, regular bail application under Section **439 Cr.P.C**, filed on behalf of **bail applicant**, is **allowed**. The **bail applicant** is ordered to be admitted to bail in the sum of **Rs. 50,000/-** with one surety in the like amount to the satisfaction of **Illaq/Duty Magistrate**, subject to the conditions that he will appear in the Court on each and every date of hearing, will not tamper with the prosecution evidence and will not leave India without prior permission of this Court.

9. The observations made by undersigned vide this Order will have no reflection on merits. Bail application file be consigned to the Judicial Record Room, Hoshiarpur, on its completion.

10. Nothing above observed by the undersigned for the decision of the bail application would amount to reflection of mind on merit .

11. Police record is ordered to be returned. The bail papers are ordered to be consigned to Judicial Record Room, Hoshiarpur.

Pronounced in open Court:
Dated: 06.11.2023
'Rajbir Singh JW Gr.II'

(Jaswinder Sheemar),
Addl. Sessions Judge, Hoshiarpur.
(UID No.PB-0093).