

**IN THE COURT OF DARBARI LAL,
ADDL. SESSIONS JUDGE, JALANDHAR (Duty) (UID No.PB0087)**

C.I.S No.	BA-2973/2020
C.N.R. No.	PBJL01-007789-2020
Date of Institution	07.08.2020
Date of Order	23.09.2020

Paramjit Singh alias Sonu aged about 29 years, son of Balbir Singh,
resident of village Kurali, Tehsil and District Jalandhar.

..... Accused-Applicant.

VERSUS

State of Punjab

..... Respondent.

FIR No. 53 dated 05.05.2018
U/Ss 399, 402, 482 and 201 of IPC
& u/s 25 of Arms Act.
P. S. Lambra, Jalandhar.

Bail Application U/s 438 Criminal Procedure Code

Present: Sh. B.S.Lucky, Advocate, for the accused-applicant.
(Through VC)
Smt. Zeba Khalid, Addl.P.P. for the State.

ORDER

1. Present bail application has been moved on behalf of accused-applicant under section 438 of Criminal Procedure Code in case FIR No. 53 dated 05.05.2018 under sections 399, 402, 482 and 201 of Indian Penal Code and under section 25 of the Arms Act registered at P.S. Lambra, Jalandhar.
2. Notice of the bail application was issued to the prosecution and the learned Addl. PP for the State has appeared on behalf of State.
3. Heard. The learned counsel for the accused-applicant has

contended that the accused-applicant is innocent and has been falsely implicated in this case. He has been declared proclaimed offender in routine on 04.09.2020 whereas the challan against him has been presented in his absence in the court. The alleged recovery has already been effected. Nothing is to be recovered from the possession of accused-applicant. He is ready to join the police investigation as and when required by the police. He lastly prayed that the accused-applicant may kindly be released on bail.

4. On the other hand, learned Additional P.P. for State strongly opposed the bail application and prayed for dismissal of the bail application.

5. Having heard both sides, I have gone through the record. Perusal of the file reveals that the present case has been registered against the accused-applicant along with his co-accused namely Pargat Singh, Buta, Veeru, Kuldeep and Nijjar on the basis of secret information received by ASI Narinder Ralh to the effect that they have constituted a gang to commit dacoity and robbery who have snatched goods from Manjinder Singh, resident of Rasulpur after inflicting injuries upon his person on 27.04.2018. Now, they are present at abandoned bricklin near drain which leads to village Chugawa to Dhaliwal Qadian who were having deadly weapons and two wheelers and planning to commit a big incident of robbery etc. If, raid be conducted, they can be caught red handed. On the basis of this information, Investigating Officer sent ASI Narinder Singh and Head Constable Balbir Singh in civil dress at the disclosed place to confirm the received information. Thereafter, police

raided at the spot but some accused firstly fled away from the spot and accused Pargat Singh, Mandeep Singh, Buta Ram, Jaspreet Singh were apprehended and from the possession of Pargat Singh, 20 mobile phones of different companies along with one datar were recovered. One datar was recovered from the possession of Mandeep Singh. One datar from the possession of accused Buta Singh and a base ball was recovered from the possession of accused Jaspreet Singh. The recovery of motorcycle make Bajaj Platina without number having chasis number MD2DDDZZRPJ04550 whose engine number was erased, one more motorcycle make Hero Honda Splendor without number having chasis number 98L19C00856 whose engine number was erased, one scooter without number marka Hero Maestro having chasis no. MBLJFW010HG020990 having engine number CCBL-2018 and a motorcycle make Bajaj Pulsar bearing registration no. PB-08-BM-4359 without papers was also effected from the possession of the accused. They came to know about the names of persons who fled away from the spot as Paramjit Singh @ Sonu and Simarjit Singh @ Simar.

6. The accused-applicant is named in the FIR who has been fled away from the spot when the raid was conducted and ultimately, he was declared proclaimed offender by the court of Smt. Meenakshi Mahajan, JMIC, Jalandhar vide order dated 03.01.2019.

7. The Hon'ble Punjab & Haryana High Court in case titled as **Parminder Singh Garcha Vs. State of Punjab** reported in **2003 (4) R.C.R. (Criminal)-445** held that *“normally, when the accused/ petitioners are absconding, there is no question of granting anticipatory*

bail or regular bail.”

8. So, in view of the above said judgment and the facts and circumstances of the present case, the accused-applicant does not deserve for bail. So, the instant bail application moved by the accused-applicant is hereby dismissed. Bail application file be attached with the main file pending in this court.

Pronounced in open Court:

Dated:23.09.2020

**Sushma*

(Darbari Lal)
Addl. Sessions Judge, Jalandhar
(UID No.PB0087) (Duty)

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Paramjit Singh Vs. State of Punjab

Present: Sh. B.S.Lucky, Advocate, for the accused-applicant.
(Through VC)
Smt. Zeba Khalid, Addl.P.P. for the State.

Arguments heard. Vide my separate detailed order, the second bail application under section 438 of Cr.P.C. has been dismissed. Bail application file be attached with the main file pending in this court.

Pronounced in open Court:
Dated:23.09.2020

**Sushma*

(Darbari Lal)
Addl. Sessions Judge, Jalandhar
(UID No.PB0087) (Duty)