

**IN THE COURT OF SHRI VARUN NAGPAL,
ADDL. SESSIONS JUDGE, JALANDHAR (PB00204)**

CIS No.	BA/2952/2021
CNR No.	PBJL010074642021
Date of Instt./filing	12.07.2021
Date of Order	15.07.2021

Jaspal Singh @ Yashpal Singh, aged about 30 years son of Shri Kuldeep Singh, resident of H.No. WS-439, Satra Mohalla, Basti Sheikh, Jalandhar.

....Applicant/accused

Versus

State of Punjab

FIR No. 20 dated 02.02.2021
Under Sections 379-B/411 of IPC
Police Station Division No.8, Jalandhar.

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

Present: Shri Balwinder Singh Kalra, Counsel for applicant/accused.
Shri Rishi Bhardwaj, Addl. PP for the State

B A I L O R D E R :-

1. Applicant/accused Jaspal Singh @ Yashpal Singh has filed this bail application under Section 439 Cr.P.C in a case FIR No. 20 dated 02.02.2021 under Sections 379-B/411 of IPC, registered at Police Station Division No.8, Jalandhar.

2. Upon notice, Shri Rishi Bhardwaj, Additional Public Prosecutor appeared on behalf of State.

Varun Nagpal
ASJ/Jalandhar
Dated 15.07.2021

3. The learned counsel for the applicant/accused has submitted that applicant/accused has been falsely implicated in this case. He has committed no offence. He is no longer required for the purpose of investigation as challan has already been presented in the Court. Conclusion of trial would take long time and accordingly, it is prayed that his bail application be allowed.

4. On the other hand, while controverting his contentions, the learned Addl. P.P for the State has vehemently argued that as allegations against the applicant/accused are grave in nature. Though challan is presented in the Court of learned Illaqa Magistrate, but same is pending for commitment and trial is yet to start. If applicant/accused is released at this stage, he may abscond or tamper with prosecution evidence and may also influence the prosecution witnesses. Accordingly, a prayer is made for dismissal of the bail application.

5. I have heard the learned counsel for applicant/accused and learned Addl.PP for the State and have also gone through the record.

6. Record from the court of learned Illaqa Magistrate received. The brief facts of the case of the prosecution are that on 02.02.2021, the police party headed by ASI Rajpal was present at Focal Point, Jalandhar in connection with nakabandi where ASI Rajpal received an information from the MHC of the police station that in the area of Industrial Area, near Bengali Auto, the public has apprehended accused who were indulged in

phone snatching. Accordingly, the police party headed by ASI Rajpal reached at the spot where, complainant Ms. Deepika Yadav daughter of Shri Davinder Nath Yadav, resident of House No.226 Phase-I, Kalia Colony, Jalandhar, got recorded her statement with the police. As per her statement, she is doing her B.Ed. On that day, she along with her Bhabi(sister-in-law) Sheela Yadav, was going to her house situated in Kalia Colony, on a Rickshaw and when they reached near the Bengali Auto Works, Industrial Area, Jalandhar, three young men came from behind on a motorcycle. The pillion rider of said motorcycle snatched from her hand, her mobile phone make Redmi 9(i) of black colour having SIM Card No.9855493443. After snatching her mobile phone, the said motorcyclists tried to fled away, but their motorcycle slipped and they fell down on the ground and two accused were apprehended at the spot by the public whereas the person who had snatched her mobile phone succeeded in fleeing from the spot. The names of the accused were known as Yashpal Singh son of Kuldeep Singh resident of Basti Sheikh, Jalandhar, Shivam @ Laddi son of Yashpal, resident of Kot Mohalla, Basti Sheikh, Jalandhar and the person who had snatched mobile phone and had succeeded in fleeing his name was known to be Kali resident of Bhaiya Mandi, Jalandhar. Both the accused named above apprehended from the spot and their motorcycle, were handed over to the police party. Lastly a prayer was made for taking action against the accused persons. In the light

of above statement of complainant, present FIR has been registered against above named three accused.

7. Perusal of record shows that applicant/accused was arrested in this case on 02.02.2021 and since then he is in custody. Challan in this case has already been presented in the Court of learned Illaqa Magistrate which is pending for commitment purpose. Conclusion of trial would take long time. No useful purpose would be served by detaining the applicant/accused behind the bars for indefinite period. Moreover, co-accused Shivam @ Laddi has already been ordered to be released on bail by this Court vide order dated 08.07.2021. Accordingly, in view of my above discussion, bail application in hand is allowed and applicant/accused **Jaspal Singh @ Yashpal Singh** is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety of like amount subject to the satisfaction of **Illaqa/ Duty Magistrate** subject to the following conditions:

- i. That he will not tamper with the prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any of the persons acquainted with the facts of the case, dissuading them from disclosing the same to the court/investigating agency and;
- ii. That he will not leave the limits of this country without prior permission of the Court. He will not even apply Visa for any country without permission.

8. However, any observation made above while disposing off this bail application shall not be considered an opinion of the undersigned on the merits of the case or opinion on the bail application of other co-accused, if any. Record summoned from the Court of learned Illaqa Magistrate be returned immediately along with copy of this order for information and compliance. Record of this bail application be consigned to Sessions Court record room, Jalandhar.

Pronounced on:
Dated:15.07.2021

Onkar Chand JW(SG)

(Varun Nagpal)
Addl. Sessions Judge, Jalandhar
(UID No. PB00204)

Varun Nagpal
ASJ/Jalandhar
Dated 15.07.2021