

**IN THE COURT OF Shri Manjinder Singh, Addl.Sessions Judge-I
Jalandhar UID No.0064**

PBJL010072962020



BA/2776/2020

Presented on : 24-07-2020

Registered on : 27-07-2020

Decided on : 10-08-2020

Duration : 0 years, 0 months, 17 days

**Baljinder Singh alias Shama aged about 45 years son of Sh.
Kashmir Singh, resident of Kaki Pind, P.S. Rama Mandi, Jalandhar.**

....Accused/Applicant

Versus

State of Punjab.

....Respondent

FIR No.68, Dated 21.06.2020,
u/s 392,395,379-B IPC,
readwith Section 25 of Arms Act,
PS Patara, Jalandhar.

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Present:- Shri Baltej Singh Dhillon, Advocate, counsel for the  
applicant/accused.(through video conferencing).  
Sh. Manoj Kumar, Addl.P.P for the State.

**ORDER:**

1. This order will dispose bail application moved by applicant  
Baljinder Singh @ Shama u/s 439 Cr.P.C, in FIR No.68, Dated  
21.06.2020, u/s 392,395,379-B IPC, readwith Section 25 of Arms Act, PS  
Patara, Jalandhar.

2. Upon notice, this application was contested by learned Addl.P.P for State.

3. I have heard learned counsel for the accused-applicant, ld.Addl.P.P for State and have gone through the file very carefully with their able assistance.

4. Learned Counsel for the accused-applicant pleaded that accused/applicant has been falsely implicated in the present case. The accused/applicant was arrested by the police on 21.06.2020. No offence under the above said Sections is made out against the accused/applicant. False recovery of .315 bore pistol alongwith 5 live cartridges has been shown from the accused/applicant. He is in custody since 21.06.2020. No useful purpose will be served by detaining the accused/applicant indefinitely in the judicial lockup except burden on state exchequer. Hence it is prayed that bail application may kindly be allowed.

5. On the other hand, learned Addl.P.P for State pleaded for dismissal of the bail application on the plea that the offence attributed to the accused is of very serious in nature and no leniency is required in such like matters.

6. From the perusal of police file this court finds that as per the case of the prosecution on 21.06.2020, SI Nirmal Singh alongwith other police officials on a government vehicle for the purpose of patrolling and checking in the area, was present at Lamma Pind-Jandu Singha Road, Chowk Kangniwal. There he received secret information that Rohit Dhir @ Jharia son of Satish Kumar, Baljinder Singh @ Shama son of Kashmir

Singh, Jasvir Singh @ Jassa son of Sukhdev Raj and Jasbir Singh @ Jassa son of Lakhvir Singh had made a gang and they use to commit dacoity/robbery in the area by using their Alto car bearing No.PB-08DB-2646 and they are having illicit weapons. Even these accused are proclaimed offenders in number of cases. It was further informed by the informer that on that day these persons on their Alto Car were coming to Jalandhar. If naka is laid, accused can be apprehended with large number of weapons. As the information was from reliable source, ruqa was sent to the police station and on its basis formal FIR was registered. Thereafter, during Naka, one Alto Car bearing No. PB-08DB-2646 came from the side of Jandu Singha and SI Nirmal Singh signaled the car to stop, but the accused retreated on their vehicle. Thereafter, SI Nirmal Singh followed the car and during that process they reached near Avtar Nagar, Guru Nanak Pura (East), near Chaughiti, Jalandhar and as the way was short there, accused tried to ran away from the spot after leaving the vehicle there. These persons were arrested by SI Nirmal Singh. The driver of the vehicle disclosed his name as Rohit Dhir @ Jharia and from the search of accused Rohit Dhir, one pistol .32 bore alongwith 6 live cartridges of .32 bore were recovered. Similarly, from the search of Baljinder Singh @ Shama, one country made pistol of .315 bore alongwith one live cartridge was recovered. Four other cartridges were also recovered from the pocket of trousers of Baljinder Singh @ Shama. Similarly from the search of Jasvir Singh @ Jassa son of Lakhvir Singh and Jasvir Singh son of Sukhdev Lal one dattar each were recovered. It is not explained by the

accused/applicant that for what purpose they were carrying country made .315 bore pistol alongwith 5 live cartridges. Accused/applicant is a habitual offender. An another case bearing FIR No.165 dated 12.07.2018 under Sections 323/324/34 IPC, P.S. Rama Mandi, Jalandhar is also registered against the accused/applicant. Whereas against co-accused Rohit Dhir @ Jharia as many as seven other cases are registered. Meaning thereby accused/applicant and co-accused made a gang and they are committing dacoity/robbery in the nearby area with the help of weapons which were recovered from them. The case is a initial stages. If granted bail, then in all probabilities the accused will abscond from the court proceedings. Keeping in view the gravity of offence, I do not deem it a fit case to grant concession of bail to the accused/applicant. Accordingly, bail application moved by accused/applicant Baljinder Singh @ Shama is hereby dismissed being devoid of any merits. Bail file be consigned to the record room and police file be returned immediately.

Pronounced in open Court  
10.08.2020.

(Manjinder Singh),  
Additional Sessions Judge,  
Jalandhar.  
UID No. PB0064

rajesh\*\*

Dictated directly on computer