

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

C.I.S. No.	BA-3105/2020
C.N.R. No.	PBJL01-008094-2020
Date of Institution	18.08.2020
Date of Order	31.08.2020

Rajan @ Raju aged about 24 years son of Baldev Singh, resident of Village Shamsabad, Tehsil Phillaur and District Jalandhar.

.....Accused/Applicant.

VERSUS

State of Punjab

..... Respondent.

FIR No. 203 dated 05.10.2019
U/S 379-B, 34 of Indian Penal Code.
P. S. Goraya, Jalandhar.

Bail Application U/s 439 Criminal Procedure Code

Present: Ms. Surinder Kaur, 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 439 of Criminal Procedure Code in case FIR No. 203 dated 05.10.2019 under section 379-B read with section 34 of Indian Penal Code registered with P. S. Goraya, Jalandhar.
2. Notice of the bail application was issued to the prosecution and Smt. Zeba Khalid, Addl. P.P. for the State has appeared on behalf of State.
3. I have heard the arguments of learned counsel for the accused-applicant and learned Addl. P.P. for the State.
4. 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 arrested in this case on 10.11.2019 and since then he is in custody. No recovery is to be effected from the possession of accused-applicant. Presentation of challan and conclusion of trial shall take considerable long time. He is no more required by the police for further investigation. He is ready to abide by all the terms and conditions as would be imposed by the court. He lastly prayed that accused-applicant may kindly be released on bail.

5. On the other hand, learned Addl.P.P. for the State strongly opposed the bail application of the accused-applicant and prayed for dismissal of the same.

6. Having heard both sides and gone through the police record. Perusal of the file reveals that present case has been registered on the statement of Harjit Kaur who in her statement specifically stated that on 18.09.2019 at about 03:00 P.M., she was going to well from her house in routine. When she was about to reach metalled road in fields of cauliflower near bridge of river, a motorcycle stopped behind her which comes from village Ghurka side being ridden by two young persons. The driver of the motorcycle was of wheatish complexion and was young and the pillion rider was also of wheatish complexion. The pillion rider suddenly snatched her both ear rings and threatened her not to raise alarm otherwise they would inflict injuries to her. Due to fear, she could not say anything and those persons went towards village Rurka side. Till today, they have not informed the police but now, they came to know that the said snatchers were of village Shamshabad. One of those was Sabi @ Ghora and she can identify those persons if come before him.

7. The present case has been registered against unknown persons. The accused-applicant was arrested in another case bearing FIR no. 156 dated 05.10.2019 under section 379-B of IPC of P. S. Sadar, Nakodar in which they suffered they confessed the occurrence of present case on 07.10.2019. On the basis of their confessional statement, they were nominated in this case. The accused-applicant has been arrested in this case on 30.10.2019 and since then he is in custody. No doubt challan in this case has been presented but conclusion of trial shall take considerable long time. No useful purpose shall be served by keeping the accused-applicant behind the bar for unlimited period. As such, the learned Illaqa Magistrate/Duty Magistrate is directed to release the accused-applicant on bail on furnishing his bail bonds for the sum of ₹1,00,000/- with one surety in the like amount with the following conditions:-

1. That the accused/applicant shall not tamper with the prosecution evidence.
2. That the accused/applicant shall appear before the Court on each and every date of hearing.
3. That the accused/applicant shall not leave country without prior permission of court. Record be returned forthwith.

8. Police record be returned forthwith and file be consigned to record room, Jalandhar.

Pronounced in open Court:
Dated: 31.08.2020

**Sushma*

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

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Rajan @ Raju vs State

Present: Ms. Surinder Kaur, Advocate, for the accused-applicant.
(Through VC)
Smt. Zeba Khalid, Addl.P.P. for the State.

Police record received and perused. Arguments heard. Vide separate detailed order of even date, the instant bail application moved by the accused-applicant is hereby, allowed. Police record be returned forthwith and file be consigned to record room, Jalandhar.

Dated: 31.08.2020

Sushma*

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