

**IN THE COURT OF MS. MANDEEP KAUR,
ADDITIONAL SESSIONS JUDGE, JALANDHAR
[UID NO.PB0126]**

Case Type	BA	
Filing No.	5817/2020	Filing Date : 17.08.2020
Case No.	3082/2020	Registration Date: 17.08.2020
CNR No.	PBJL01-008048-2020	
Date of Order	25.08.2020	

1. Abhishek @ Suraj, son of Som Nath, resident of village Talwan, Near Dana Mandi, Police Station Bilga, Jalandhar.
2. Suraj @ Sunny, son of Heera Lal, resident of village Talwan, Near Main Bus Stand, Police Station Bilga, Jalandhar.

-----Accused/Applicants

VERSUS

State of Punjab

-----Respondent

FIR No.195 dated 18.07.2020,
Under Section 323, 379-B, 482, 411 of IPC,
Police Station Sadar, Jalandhar.

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

Present: Shri Ram Pal, counsel for applicants.
 Mrs. Meetu Sheanmar, Addl. PP for State.

ORDER:-

1. File put up before me being Duty Judge during lock down period due to epidemic disease of Corona virus. This order of mine shall dispose of the bail application under section 439 Cr.PC, filed by applicants/accused, in the above mentioned FIR.
2. Notice of the bail application was given to the State. Mrs. Meetu Sheanmar, Addl. PP appeared on behalf of the State and contested the bail application. Police record requisitioned and received.
3. As per the allegations of the prosecution, the complainant Rohan Lal made statement to the police that he is running a

juice and fruit shop at Jamsher Adda. On 17.07.2020 at about 09:00 P.M. after closing his shop he was returning to his home village Chuheri on his motorcycle bearing registration no.PB-08-5371 mark Splendor of silver colour. When he reached ahead of village Kangniwal then three persons on a motorcycle attacked on him from backside. One person gave stick blow which hit on the backside of the complainant due to which complainant fell on the ground. Then, second person gave two Daat blows which hit on the head of the complainant. Thereafter, assailants took ₹2,000/- from back pocket of pent, ₹8,500/- from right pocket of pent alongwith mobile phone marka Samsung J7 Max and bag containing relevant documents which complainant holding in his hand. The assailants also taken the aforesaid motorcycle of complainant. Then, all the assailants fled from the spot. As complainant was got injured he stopped somebody on the road and made call from his mobile phone to his brother Amandeep Kumar. His brother reached at the spot and took the complainant civil hospital Jandiala where he was medically examined. The complainant requested that legal action be taken against the accused persons.

4. I have heard the learned counsel for the accused/applicants, learned Addl.PP for the State and perused the entire record.
5. Learned counsel for the accused/applicants has submitted that the applicants/accused are peace loving and law abiding citizen. They are altogether innocent and have been falsely

implicated in the present case. The applicants belongs to respectable family. The applicants are not named in the FIR. Nothing has been recovered from the applicants. The applicants is in custody since 22.07.2020. The presentation of Challan is likely to take time and trial will take a considerable time. No useful purpose would be served by keeping the applicants behind the bars for indefinite period. There is every possibility that the applicants can contact with Corona Virus, if they are kept in judicial custody for a longer period. He has thus, prayed that present bail petition may kindly be allowed.

6. On other hand, learned Addl. PP for the State has submitted that genuine allegations have been levelled against the present applicants. The investigation is going on and if applicants be released on bail then there is every chance of their absconding or tempering with the evidence. She has thus, prayed that present bail petition may kindly be dismissed.
7. After hearing learned counsel for the applicants/accused, learned Addl. PP for the State and perusal of record this Court is of the opinion that Challan has not been presented till date. Investigation is pending. The accused/applicants are in judicial custody since 22.07.2020. No purpose will be served by keeping the accused/applicants behind the bars as investigation/trial may take long time. Nothing is required to be recovered from them. Considering these facts as well as the fact that due to extra ordinary circumstances arising out due to out-break of pandemic (COVID-19), the accused are admitted

to interim bail on their furnishing bail bonds in the sum of ₹1,00,000/- with one surety in the like amount each, subject to the following conditions:

1. that the accused will not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
2. that the accused will not leave India without the previous permission of the court.

As per request of learned counsel for accused and considering the prevailing circumstances regarding pandemic COVID-19, both applicants/accused are ordered to be released on furnishing of personal bonds in a sum of ₹1,00,000/- before the Superintendent, Central Jail, Gurdaspur. Accused will furnish the regular bail bonds before the concerned Court, when the situation turns normal. Bail application is allowed accordingly. Copy of this order be sent to the Superintendent, Central Jail, Gurdaspur for compliance. File be consigned to the record room.

Dated: 25.08.2020

*Anoop Joshi, JW**

(Mandeep Kaur)
Addl. Sessions Judge, Jalandhar
[UID No.PB0126]