

PBBT010113352019



Presented on : 12-09-2019
Registered on : 12-09-2019
Decided on : 18-09-2019
Duration : 0 years, 0 months, 6 days

**IN THE COURT OF
Additional District and Sessions Judge
AT Bathinda, Bathinda
(Presided Over by Sh. Mohammad Gulzar)**

BA/2783/2019

State versus Prince Kumar @ Vicky Singh aged about
28 years, son of Darshan Singh, resident
of Gali No.4, Farid Nagar, Rampura
Mandi, Tehsil Phul, Distt Bathinda, Now
confined in Central Jail, Bathinda.
.....Petitioner/accused.

***FIR No.72 dated 19.7.2019,
under Section 379-B/411 of Indian Penal
Code, Police Station City Rampura.***

Bail Application U/S 439 Cr.P.C.

Present: Sh.Shaminder Singh Sohal, Advocate, counsel for applicant.
Sh.Preetinder Singh Chahal, Addl.P.P.for State.

ORDER

The instant application for grant of regular bail under
Section 439 of Cr.P.C., has been filed by the applicant named above, in a
case FIR No.72 dated 19.7.2019, under Section 379-B/411 of Indian Penal
Code, Police Station City Rampura.

*Mohammad Gulzar
Additional Sessions Judge PB-0063*

2. The case of the prosecution in brief is that the FIR was registered on the statement of Iqbal Singh, who stated that on 17.7.2019 at about 2.00p.m., he was going to his house. He was having mobile phone of Vivo company having IMEI No.865470046560172 and 865470046560164. Sim of Airtel company bearing No.95013-88579 and another Sim of Jio bearing No.83605-60411 were running in the mobile. He was going by having mobile phone in his hand. In the meantime, on one motorcycle, three young persons came and snatched his mobile phone. Now he has come to know that Golu Ram son of Sadhu Ram, Prince Kumar @ Vicky and Kamaljit Singh were those persons, who have snatched his mobile phone. During the investigation Prince Kumar suffered disclosure statement that he has kept concealed some mobile phones in his house which have been snatched by him along with his co accused. On the basis of disclosure statement three mobile phones have been recovered from the house of applicant Prince Kumar.

3. Notice of the bail application was given to the State of Punjab and as such, the police file has also been requisitioned.

4. I have heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State and have gone through the police record.

5. The learned counsel for the applicant-accused argued

that the petitioner is innocent. He has not committed any offence at all. He is in custody and prayed for concession of bail.

6. On the other hand, the learned Additional Public Prosecutor for the State has strongly opposed the bail application.

7. After considering the rival contentions of the learned counsel for the applicant-accused as well as the learned Additional Public Prosecutor for the State and perusing the police file; it reveals that the allegations against the petitioner are that he alongwith Gollu Ram and Kamaljeet Singh snatched the mobile phone from the complainant besides the fact three other stanchd mobile phones have been got recovered on the basis of discussor statement of applicant. Without commenting on the merits of the case and keeping in view that there is menace in the society regarding the snatching of mobile, chain etc. Hence I do not deem it a fit case for grant of bail to the petitioner Prince Kumar @ Vicky Singh. Consequently, the bail application filed by petitioner Prince Kumar @ Vicky Singh is hereby dismissed. Police record be returned and file of this Court be consigned to the record room.

Pronounced in open Court.
Dated: 18th September, 2019

(Mohammad Gulzar),
Additional Sessions Judge,
Bathinda/18.09.2019
(UIDPB-0063)

Pardeep Kumar
Stenographer-I

Mohammad Gulzar
Additional Sessions Judge PB-0063