

**In the court of Sh. RK Khullar, Addl. Sessions Judge, Hoshiarpur.
(UID No.PB-0215)**

CNR No.PBHO010103012019

CIS No.BA/2601/2019

Bail application No.2601/2019

Date of institution: 29.10.2019

Date of decision: **07.11.2019**

Ranbir Singh @ Roban son of Satwant Singh resident of village Jaid, PS Begowal, Distt. Kapurthala.

...Applicant-Accused

Vs.

State of Punjab

....Respondent

FIR no. 199 of 7.8.2015

Under Section: 379,411 IPC

P.S.: Tanda.

Bail application under Section 439 Cr.P.C.

Present: Sh. RS Abhi Adv. Counsel for the applicant
Ms. Mandeep Kaur Addl. PP for the State

ORDER

1. This order shall dispose of bail application under Section 439 Cr.P.C. filed by the applicant-accused.
2. Notice of the bail application has been issued to the learned Addl. PP for the State. Police record was also called.
3. I have heard the learned counsel for the applicant-accused, learned Addl. Public Prosecutor for the state and gone through the record.
4. The learned counsel for the applicant-accused argued that the applicant-accused is innocent and has been falsely implicated in this case. The applicant was

arrested in this case on 24.8.2019 and since then he is in custody. Earlier the applicant was on bail but and absented from the court on 18.7.2018 and later on he was declared PO on 12.3.2019. There is nothing to be recovered from the applicant by the police. He further argued that the applicant undertakes not to abscond or jump over the bail and not to tamper with the prosecution evidence if he is released on bail and accordingly prayed for grant of regular bail to the applicant-accused.

5. On the other hand Addl PP opposed the argument of learned counsel for the applicant and argued the applicant has committed grave offence and is not entitled to bail and accordingly prayed for dismissal of the bail application.

6. I have gone through the record very carefully. It is admitted fact the applicant is in judicial custody since 24.08.2019 i.e. for the last more than one month. Nothing is to be recovered from the applicant and no purpose shall be served by further detaining the applicant in judicial custody. Conclusion of trial shall take a long time. The role and liability of the applicant shall be decided during the trial, which will take a long time. In **Masroor Vs. State of Uttar Pradesh, JT 2009 (8) SC 398** it has been held that valuable right of liberty of an individual and the interest of the society in general has to be balanced. Liberty of a person accused of an offence would depend upon the exigencies of the case. It is possible that in a given situation, the collective interest of the community may outweigh the right of personal liberty of the individual concerned. So keeping in view the above reasons, the applicant-accused is admitted to bail on her furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of learned Illaqa/Duty

Magistrate. The applicant-accused is directed not to leave India without the prior permission of the Court as well as he will not tamper with the prosecution witnesses till the decision of the trial and also will appear before the Court on each and every date of hearing. Police record be returned. File be consigned to the record room.

Pronounced in open court.

Dated : 07.11.2019

(Anil Kumar JW)

(RK Khullar)
Addl. Sessions Judge,
Hoshiarpur.
(UID No.PB-0215)

CNR No.PBHO010103012019
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Ranbir Singh Vs. State

Present: Sh. RS Abhi Adv. Counsel for the applicant
Ms. Mandeep Kaur Addl. PP for the State

Arguments heard. Vide my separate detailed order of even date, bail application is accepted. Police record be returned. File be consigned to the record room.

Pronounced in open court.
Dated : 07.11.2019

(Anil Kumar JW)

(RK Khullar)
Addl. Sessions Judge,
Hoshiarpur.
(UID No.PB-0215)

