

***In the Court of Shri Sarbjit Singh Dhaliwal,
Additional Sessions Judge, Amritsar.***

*CNR No.PBAS010024402021.
BA NO. 1001 OF 2021.
Date of Institution: 24.02.2021.
Date of Order: 01.03.2021.*

*State Versus Balwinder Singh @ Binda son of Pritam Singh,
 resident of Chak Kare Khan, District Tarn Taran.*

.....Accused-applicant.

*F.I.R.No.401 dated 26.12.2018.
U/s 379/411 IPC.
Police Station: Civil Lines, Amritsar.*

1st bail application under section 438 of Cr.P.C.

*Present: Shri Pankaj Sharma, Advocate, for accused/applicant.
 Sh.Sandeep Sharma, Addl.P.P for the State.*

ORDER

ASI Jaswant Singh No.3105/Asr.(City) is present
alongwith record pertaining to this bail application.

Arguments heard. During course of arguments, it is
submitted by learned Addl.PP for the State that on having been

received secret information that Sandeep Singh is coming on a motorcycle, so, on a barricading imposed near railway station Amritsar, Sandeep Singh was apprehended alongwith one splendor motorcycle which was found to be stolen by him from outside the house of Daljit Singh, whereas Daljit Singh did not get record the DDR or FIR in this regard at any Police Station. Then on his disclosure statement, two more motorcycles were recovered from the parking of Shri Guru Nanak Dev Hospital, and Railway Station, Amritsar. However, during his disclosure statement he has named co-accused Waryam Singh and Balwinder Singh, who, were involved in stealing the motorcycles. He told that at least six more motorcycles were stolen by them and the same were sold by Waryam Singh.

However, except this disclosure statement of Sandeep Singh, no other evidence has been collected by the police to show the involvement of applicant in any theft of motorcycle whereas co-accused Waryam Singh was allowed concession of anticipatory bail by the court of Shri Balwinder Singh Sandhu, the then learned Sessions Judge, Amritsar, on 07.02.2020. So, on the ground of parity, he is also entitled to relief of anticipatory bail.

Therefore, accordingly, he is allowed relief of anticipatory bail and directed to join investigation on or before 03.03.2021 before SHO/investigating officer/Arresting officer. In case, he appears and joins investigation, in that event, the SHO/investigating officer/Arresting officer shall release the applicant on interim bail on his furnishing personal bonds in the sum of Rs.20,000/- with one surety in the like amount to his/her satisfaction, subject to the following conditions:-

- i) That the applicant shall make himself available for interrogation by the police officer as and when required;
- ii) That the applicant shall not directly or indirectly, make any inducement, thereat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the court or to any police officer;
- iii) That the applicant shall not leave the country without prior permission of the court.

Now, this bail application is adjourned to 05.03.2021 for report. The prosecution is directed to produce investigating officer alongwith

record on said date

Pronounced: 01.03.2021.

*Pardeep Kumar
Stenographer Grade-I*

*(Sarbjit Singh Dhaliwal)
Additional Sessions Judge,
Amritsar (UID:PB0070)*