

Kamaljit Singh Vs State :1:

**IN THE COURT OF PARMINDER SINGH GREWAL,
ADDITIONAL SESSIONS JUDGE (UID NO.PB0438),
JALANDHAR.**

CIS No.	BA 106/2018
CNR	PBJL01-000258-2018
DATE OF INSTITUTION	05.01.2018
DATE OF DECISION	15.01.2018

Kamaljit Singh son of Dilbag Singh, resident of village Chatiwind,
District Amritsar.

...Accused/applicant

Versus

State of Punjab

....Respondent.

FIR No.373 dated 21.10.2017
Under Sections 379-B of Indian Penal Code.
PS Phillaur, Jalandhar.

First bail application Under Section 439 Cr.P.C

Present: Sh.Tek Sharan Sharma, adv., counsel for the
accused/applicant.
Sh. Sukhwant Singh, Addl. PP for the state.

1. This order of this Court shall dispose of bail petition filed by petitioner Kamaljit Singh for releasing him on regular bail under Section 439 Cr.P.C. in case FIR No.373 dated 21.10.2017, under Section 379-B of Indian Penal Code, registered at Police Station Phillaur, Jalandhar.
2. The counsel for the petitioner has argued that the present petitioner has been falsely implicated in the present case. He has further argued that the present petitioner has not committed any offence. He has further argued that the present petitioner is in custody since 24.11.2017 i.e. for a period of more than one and half month. He has prayed that

present bail petition may kindly be allowed.

3. On other hand, ld. Addl. PP for the State assisted by HC Nishan Singh has submitted that the present petitioner alongwith his co-accused has committed the serious offence of snatching. He has thus, prayed for dismissal of the present bail petition.

4. This Court has heard learned counsel for the parties and have perused record with their able assistance.

5. This Court is of the considered view that the present petitioner has been arrested in this case on 24.11.2017 and is in custody since then for a period of more than one and half months. Furthermore, the present petitioner has already suffered custodial interrogation and nothing more is to be recovered from his person. Furthermore, the investigation of the present case is at its initial stage and conclusion of the trial is likely to take up considerable time. Therefore, no useful purpose will be served by keeping the present petitioner in further judicial custody.

6. In view of reasons discussed herein before, the bail petition is hereby allowed and the present petitioner is ordered to be released on regular bail under Section 439 Cr.P.C. on his furnishing bail bonds to the satisfaction of Illaqua/ Duty Magistrate concerned subject to following conditions:-

(i) a condition that he shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that he shall 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;

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(iii) a condition that he shall not leave India without the previous permission of the Trial court.

7. The present bail petition is disposed of in the above terms.

File be consigned to the Record Room.

Pronounced in open Court.
15.01.2018
Som Nath*

(Parminder Singh Grewal),
Additional Sessions Judge,
Jalandhar (UID NO.PB0438)