

**IN THE COURT OF MS. JATINDER KAUR,
SESSIONS JUDGE, FAZILKA (UID No. PB0062).**

Bail application no. 1.

CIS NO. BA/1060/2024.

Date of Instt: 27.05.2024.

CNR No. PBFZC0-002969-2024.

DATE OF ORDER: 29.05.2024.

Sunny Singh age 19 years son of Raju Singh resident of village Ajit Nagar
Tehsil Abohar District Fazilka.

----Applicant-accused.

Versus

State of Punjab

-----Respondent

Application for bail u/s 439 Cr.P.C. in a case FIR no. 53 dated
06.05.2024 under section 379-B, 34 IPC, P.S. City-II, Abohar.

Present: Sh. Angrej Singh Rai Advocate counsel for applicant.
Sh. Wazir Kamboj, Addl. P.P. for the State-respondent.

Bail application no. 2.

CIS NO. BA/1069/2024.

Date of Instt: 28.05.2024.

CNR No. PBFZC0-003012-2024.

DATE OF ORDER: 29.05.2024.

Gurcharan Singh age 31 years son of Mohan Singh resident of village
Bahia (234), Sirsa, Haryana.

----Applicant-accused.

Versus

State of Punjab

-----Respondent

Application for bail u/s 439 Cr.P.C. in a case FIR no. 53 dated
06.05.2024 under section 379-B, 34 IPC, P.S. City-II, Abohar.

Present: Sh. S.P. Godara & Sh. Ram Singh Chhimpa Advocates
counsels for applicant.
Sh. Wazir Kamboj, Addl. P.P. for the State-respondent.

ORDER

This common order of mine shall dispose off two regular bail applications U/S 439 Cr.P.C. moved by the above named applicants-accused in the aforementioned FIR.

2. The brief facts leading to the filing of the present bail application are that FIR in this case was got registered on the statement of Radha wife of Vinod Kumar resident of Street No. 05, Anand Nagri, Abohar stating that she used to prepare *chapaties* in the marriages functions. On 27.04.2024 at about 8.30 pm, she was going from Dev Sweets House to her house and when she reached near Tara Estate, two motor youngsters came on a motor cycle make Platina and snatched her handbag containing mobile phone Samsung touchscreen, cash amount of Rs. 6,000/- and keys of her house. She kept on inquiring about the snatchers and now she came to know that the name of one of the culprits as Sunny Singh son of Raju resident of Ajit Nagar, Abohar and he (Sunny Singh) can disclosed the name of his accomplice. On the basis of said statement, present FIR was registered against Sunny Singh and one unknown person under section 379-B read with section 34 of Indian Penal Code.

Accused Sunny Singh was arrested on 06.05.2024 and on the basis of disclosure statement made by him, name of co-accused Gurcharan Singh @ Channa was nominated vide rapat no. 38 dated 06.05.2024 and Gurcharan Singh @ Channa was also arrested on 07.05.2024. Hence, the present regular bail applications have been filed on behalf of both the above named accused.

3. Notices of the bail applications were given to the State. Learned Addl. P.P. appeared on behalf of the State and contested the same for the State.

4. This Court has heard the contentions raised by learned counsel for the applicants as well as learned P.P. for the State and have also perused the record of the case.

5. The learned counsel for the applicants-accused contended that the applicants-accused are in judicial custody since 06.05.2024 and 07.05.2024 respectively. The applicants-accused have not committed any offence and they have been falsely implicated in the present case. Nothing is to be recovered from the applicants-accused. The applicants undertake to appear on each and every date of hearing and shall not leave the country without its prior permission and shall not tamper with prosecution evidence. The conclusion of trial shall take long time and prayer was made for acceptance of the present bail applications.

Whereas, on the other hand, learned Addl. P.P. for the State opposed the present bail applications. He has contended that accused-applicants have committed the serious offence by snatching a handbag containing mobile phone, cash amount of Rs. 6,000/- and keys of house of complainant at night time when she (complainant Radha) was returning to her house. Learned Addl. PP further contended that the motor cycle used in the commission of crime belongs to bail applicant Gurcharan Singh and thus, applicants-accused do not deserve the benefit of bail and prayed for the dismissal of bail applications .

6. This court has considered the rival contentions of both the sides. The applicants are in judicial custody since 06.05.2024/07.05.2024 i.e. for the past about 22/23 days. Moreover, the conclusion of trial shall take long time. No useful purpose shall be served by detaining the applicants in jail for an indefinite period. So the allegations levelled against the applicants are not suffice for their detention in the jail till the

conclusion of trial. So, in these circumstances, it is a fit case where the benefit of regular bail must be given to accused-applicants.

7. Resultantly, the applications succeed and are, hereby, accepted. The accused-applicants are admitted to bail on their furnishing personal bonds in the sum of Rs.1,00,000/- each (Rupees One Lakh only) with one surety of the like amount each before the Illaqa Magistrate/Duty Magistrate/Trial Court. Applicants shall appear in the Court on each and every date of hearing; shall not tamper with the prosecution evidence and shall not leave India without its prior permission. The observation made here above shall have no effect on the merits of the case.

A copy of this order, duly attested by Reader of this Court, be annexed with the connected bail application file.

Bail Papers be consigned to the record room after due compilation. Police record be returned. Sd/-

Pronounced.
Dated: 29.05.2024.
'Bhola Shankar'
'Stenographer Gr.I'

(Jatinder Kaur),
Sessions Judge,
Fazilka (UID No. PB0062)

BA 1060 of 2024 Sunny Singh versus State of Punjab
CNR No. PBFZC0-002969-2024

Present: Sh. Angrej Singh Rai Advocate counsel for applicant.

Upon notice, Shri Wazir Kamboj, Addl. PP put appearance on behalf of respondent-State and contested the bail application.

Heard. Report of Ahlmad perused. Vide my common & detailed order of today passed in bail application no. BA 1060 of 2024, the said bail application as well as connected bail application no. BA 1069 of 2024 u/s 439 Cr.P.C. applied on behalf of Sunny Singh and Gurcharan Singh have been disposed off.

A copy of this order, duly attested by Reader of this Court, be annexed with the connected bail application file.

Bail Papers be consigned to the record room after due compilation. Police record be returned. Sd/-

Pronounced.
Dated: 29.05.2024.
'Bhola Shankar'
'Stenographer Gr.I'

(Jatinder Kaur),
Sessions Judge,
Fazilka (UID No. PB0062)

BA 1069 of 2024 Gurcharan Singh versus State of Punjab
CNR No. PBFZC0-003012-2024

Present: Sh. S.P. Godara & Sh. Ram Singh Chhimpa Advocates
counsels for applicant.

Upon notice, Shri Wazir Kamboj, Addl. PP put appearance on behalf of respondent-State and contested the bail application.

Heard. Report of Ahlmad perused. Vide my common & detailed order of today passed in bail application no. BA 1060 of 2024, the said bail application as well as connected bail application no. BA 1069 of 2024 u/s 439 Cr.P.C. applied on behalf of Sunny Singh and Gurcharan Singh have been disposed off.

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