

***In the Court of Shri Sumeet Malhotra, Sessions Judge, Faridkot.
(UID No.PB0060)***

***Bail Application No.175 dated 19.10.2020.
CNR No.PBFD01-002748-2020.
CIS No.BA-1076/2020.
Date of Order : 29.10.2020.***

Iktar Singh alias Nanak Singh alias Nanak aged about 31 years, son of Hazoor Singh, resident of Sahib Chand, District Sri Muktsar Sahib.

.....Accused/petitioner.

Versus

State of Punjab.

.....Respondent.

(Bail application under section 438 Cr.P.C.)

F.I.R.No.143 dated 03.09.2020.
Under Section : 379, 411, 120-B IPC.
Police Station : Jaitu.

Present : Shri Vinod Kumar Monga, Advocate, proxy counsel for the accused-petitioner.
Shri Sahib Singh, Addl. Public Prosecutor for the State.

ORDER

Accused-petitioner Iktar Singh alias Nanak Singh alias Nanak has approached this court for the grant of anticipatory bail in case FIR No.143 dated 03.09.2020, under Section 379, 411, 120-B of the Indian Penal Code, Police Station, Jaitu.

2. Learned proxy counsel for the petitioner states that the petitioner is innocent and has been falsely implicated in this case. He argued that there is no basis of connecting the accused-petitioner with the crime in hand, as the FIR was against unknown persons and supplementary statement of the complainant does not disclose the basis on

which the name of the petitioner is found out and alleged by the complainant. He thus prays for the grant of anticipatory bail.

3. Per contra, learned Addl. Public Prosecutor has vehemently opposed the bail application on the ground of request for custodial interrogation of the petitioner as the recovery as well as the modus operandi adopted by the accused-petitioner, is yet to be ascertained. He also relied on the investigation conducted so far, whereby Sukhdev Singh and Pargat Singh were arrested and they both of them disclosed the name of the petitioner to be one of the accomplices, who committed the offence.

4. I have considered the rival contentions of both the learned counsel and have gone through the record of the case.

5. The present FIR is lodged on the statement of Lakhwinder Singh recorded on 03.09.2020. No doubt, the FIR is against unknown persons, who committed theft of Rs.1 Lac in cash from the complainant. Supplementary statement of the complainant was recorded on 16.09.2020, who named Jaswinder Singh and Sukhdev Singh to be the persons involved in the crime. The said disclosure made in the supplementary statement led to the arrest of Sukhdev Singh and then Pargat Singh. As per the police record, the investigation conducted after the arrest of both Sukhdev Singh and Pargat Singh, led to the disclosure of the involvement of the petitioner and one more person in the crime. As per the learned Addl. Public Prosecutor, Rs.15,000/- was recovered from accused Sukhdev Singh and Rs.20,000/- was recovered from accused Pargat Singh. The remaining recovery is yet to be made in this case. Keeping in

view the aforesaid, it cannot be said that there is no basis of involving the petitioner in the crime. No doubt, the evidentiary value is a question which would be gone into a final stage of trial. The matter is still under investigation. Keeping in view the totality of circumstances, no ground is made out to extend the benefit of anticipatory bail to the petitioner. Accordingly, *the bail application stands dismissed*. Police record be returned. Bail application file be consigned to record room.

Dated : 29.10.2020.

deepak grover

(Sumeet Malhotra)
Sessions Judge,
Faridkot.
UID No.PB0060.

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Shri Sahib Singh, Addl. Public Prosecutor for the State.

Police record produced. Arguments heard. Vide my separate
detailed order of today, bail application has been dismissed. Police record
be returned. Bail application file be consigned to record room.

Dated : 29.10.2020.

deepak grover

(Sumeet Malhotra)
Sessions Judge,
Faridkot.
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