

**In the court of Shri Hira Singh Gill  
Addl. Sessions Judge, Jalandhar.  
UID No (PB0153)**

B.A. No.1031/2021  
Filing No.1812/2021  
CNR No.PBJL01-002599-2021  
Date of Filing: 8.3.2021  
Date of Order: 15.3.2021.

Oshan Kumar Chander @ Oshin aged about 25 years son of Satpal Chander, R/o H. No.B-41/1195/25 Guru Ravidass Mandir Gali, Butta Pind, Jalandhar.

..Accused/applicant.

Versus

State of Punjab

FIR No.441 dated 6.12.2020.  
U/s 379-B, 411, 34 IPC  
P.S. Division No.5, Jalandhar.

**[Application for Bail U/s 439 of Cr.P.C.]**

Present: Shri Robin Sharma, Advocate for accused/applicant.  
Shri APS Dhillon Addl, PP for the State.

**ORDER:**

1. The instant bail application has been filed under section 439 CrPC, praying for grant of regular bail to the accused/applicant in case FIR No.441 dated 6.12.2020 under section 379-B, 411, 34 IPC, registered at police station Division No.5, Jalandhar.
2. Summary of the case of the prosecution is that FIR was registered on the statement of one Bholi Devi, who stated that she is a house wife. On 30.11.2020 at about 4:00 PM, she alongwith her sister-in-law was going from Mohalla Katra to Kari Chawal Chowk, Basti Danish Manda, Jalandhar. When she reached near Kari Chawal Chowk, in front of a vacant plot two youngmen, with hair cut, came on a motorcycle bearing number PB08-EF-8943. The motorcycle driver was wearing

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helmet and the pillion rider was wearing mask on his face. The motorcycle driver snatched her gold earring (wali) weighing 2 ½ grams and handed over the same to the pillion rider. Both of them ran away from there. She has been herself searching them, now she ascertained that the person who snatched her earring on 30.11.2020 is Bhupinder Kumar @ Bhinder son of Kala Ram and the pillion rider was Oshan Kumar Chander son of Satpal and on the basis of which FIR was registered.

3. On 06.12.2020, one young man, with hair cut, in a motorcycle bearing number PB08-EF-8943 was apprehended, who was perplexed and tried to escape on seeing the police party. On interrogation he told his name as Bhupinder Kumar. On his search a gold earring was recovered from the pocket of his trouser and the said earring was got identified by complainant.

4. The case of the accused/applicant is that he is a poor person and doing the work of carpenter on daily basis. His father is old aged persons who is suffering from several health issues. The accused/applicant is the only bread winner of his family. The allegations made in the FIR are false and frivolous. The co-accused has already been released on bail. The accused/applicant has been in custody since 16.1.2021. It was prayed that accused/applicant be released on bail.

5. While on the other hand, learned Addl.PP for the State contested the bail application by submitting that offence in question is serious one, therefore, the accused/applicant is not entitled to bail.

6. I have considered the rival submissions.

7. The alleged recovery has already been effected. Nothing has been effected from the accused/applicant. The accused/applicant has been in custody since 16.1.2021. Conclusion of trial will take its own time. It is also not the case of the prosecution that if accused/applicant is released on bail, he would influence the prosecution witnesses or flee the trial. In view of these factual circumstances, the bail application of accused/applicant succeeds and he is directed to be released on bail on furnishing bail bonds in the sum of ₹70,000/- -with one surety in the like amount to the satisfaction of Illaqa Magistrate/Duty Magistrate,subject to the following conditions:-

- a) That accused/applicant will not tamper with the prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any of the person acquainted with the facts of the case, dissuading him from disclosing the same to the court/ investigating agency; and
- b) That accused/applicant will not leave the limits of India without prior permission of the court.
- c) That he will appear in the court on each and every date of hearing.

8. Copy of this order be sent to the concerned court and bail application be consigned to the record-room.

**Pronounced in open court.**  
**Dt 15.3.2021.**  
Sukhwinder Singh

**(Hira Singh Gill)**  
**Addl. Sessions Judge Jalandhar.**  
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Present: Shri Robin Sharma, Advocate for accused/applicant.  
Shri APS Dhillon Addl, PP for the State.

Arguments heard. Vide my separate detailed order of even date, the bail application stands allowed, as detailed therein. Copy of this order be sent to the concerned court and bail application be consigned to the record-room.

**Pronounced.**  
**Dt 15.3.2021.**

**(Hira Singh Gill)**  
**Addl. Sessions Judge,**  
**Jalandhar. UID No (PB0153)**

Sukhwinder Singh

Hira Singh Gill  
Addl. Sessions Judge, Jalandhar.