

1. Ramandeep Singh VS State
2. CIS No. BA No. 1248 of 20.10.2022
3. C.N.R.No : PBRO01004930-2022
- 4.

5. Present: Shri Hemant Chaudhary, Advocate counsel for the applicant/ accused.
6. Shri Gurpreet Singh, Additional Public Prosecutor for State.

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8. ORDER:
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1. Arguments on regular bail application moved by applicant/accused Ramandeep Singh under Section 439 of Code of Criminal Procedure in case bearing FIR No. 157 dated 30.08.2022 under Sections 379,411,379-B,472 IPC & Section 25 of Arms Act registered at Police Station City Rupnagar, heard. Police record produced and perused.

2. Learned counsel for applicant/accused has argued that applicant/accused has been falsely implicated in this case. His name does not figure in the FIR. No offence under Section 379-B is made out against him. The alleged stolen articles have already been recovered. Nothing is required to be recovered from the possession of applicant/accused. Applicant/accused was arrested on 31.08.2022 and since then he has been in custody. The presentation and disposal of challan will take time. Therefore, no useful purpose will be served by keeping the applicant/accused behind the bars for indefinite period and

as such, it is prayed, that applicant/accused may kindly be released on bail.

3. On the other hand learned Additional Public Prosecutor for State has argued with stress that applicant/accused is not entitled to get the concession of bail as he along with his co-accused Balwinder Singh @ Bindri snatched mobile phone of complainant Salma on 25.08.2022 and they have also snatched motorcycles etc. in the area of Rupnagar. A stolen motorcycle Make Hero Splendor of silver colour having fake number plate used in the commission of the offence, snatched mobile phone of complainant Salma, a Kamanidar Knife and red chili powder wrapped in a polythene envelop were recovered from the possession of applicant/accused and his co-accused Balwinder Singh @ Bindri. Applicant/accused and his co-accused Balwinder Singh @ Bindri and the mobile phone recovered from their possession were identified by complainant Salma on 31.08.2022. He has further submitted that applicant/accused is habitual offender as he in connivance with his co-accused misused the said mobile phone for demanding ransom from the people. Therefore, it is prayed that bail application filed by applicant/accused may kindly be dismissed.

4. As per allegations of the prosecution at about 08:15 PM on 25.08.2022 when complainant Salma after purchasing the household

articles from Giani Zail Singh Nagar Market, Rupnagar was going back to her house on her bicycle while talking on her mobile phone, two young motorcycle riders snatched her mobile phone and she along with her bicycle fell down. On the basis of the said statement of Salma recorded on 30.08.2022, present FIR was registered against unknown persons. Non-applicant/accused Balwinder Singh and applicant/accused Ramandeep Singh were arrested on 31.08.2022 and from their possession a mobile phone make Realme of sky blue colour along with Sim Card belonging to complainant Salma, a stolen Motorcycle Make Hero Honda Splendor, a Kamanidar Knife and red chili powder wrapped in a polythene envelop were recovered. They were got identified from the complainant Salma. The mobile phone recovered from the possession of applicant/accused and his co-accused Balwinder Singh @ Bindri was also identified by complainant Salma. Hence, it cannot be said that applicant/accused has been falsely implicated in this case. The case of applicant/accused is not at par with the case of co-accused Harpreet Singh and Gurinder Singh, who have been granted regular bail as only a stolen article motorcycle, the ownership of which is yet to be proved as no one has made a complaint regarding the theft of his said motorcycle, was recovered from their possession, whereas applicant/accused along with his co-accused

Balwinder Singh @ Bindri has snatched mobile phone from the possession of complainant and the said mobile phone along with a stolen motorcycle having fake number plate has been recovered from applicant/accused and his co-accused Balwinder Singh @ Bindri. No doubt applicant/accused was arrested in this case on 31.08.2022 and he has been in custody since then, but keeping in view the gravity of the offence and recovery of snatched mobile phone and stolen motorcycle used by them in the commission of the said offence by using fake number plate, effected from his possession as well as the hike in rate of commission of the offence of snatching day by day even in the day time, I do not find any justification to grant the concession of bail to applicant/accused at this stage. As such, bail application moved by applicant/accused is dismissed. Police file be returned. Record of this bail application be consigned to record room.

Announced:

Dated:- 26.10.2022.

Shikha, stenographer II

(Sham Lal),
Additional Sessions Judge,
Rupnagar.
[UID Number : PB0123]