

Sahil Vs. State of Punjab
BA No.3230 of 2023
CNR No.PBPT01-010494-2023

FIR No.706 dated 8.7.2023.
Under Section 380/457/511 IPC.
Police Station: Ghanaur.

Application for bail u/s 439 CrPC.

18.9.2023:

Present: Sh.Amandeep Singh, Advocate for applicant-accused,
namely, Sahil,
Sh.B.S.Goraya, learned APP for the state, with SI Gurpreet
Singh.

Order :

The accused/applicant has filed the instant application under Section 439 of the Code of Criminal Procedure. SI Gurpreet Singh has made a statement in the Court that no regular bail application of the applicant regarding the present FIR is pending before the Hon'ble High Court, nor any bail application regarding this applicant has been decided by this Court.

Arguments heard. Police file presented by learned PP for the State is perused and returned.

It is argued by the learned counsel for applicant that applicant-accused has been falsely implicated in this case by the police and no offence was committed by him. In the present case the applicant is in custody since 25.7.2023 and nothing is to be recovered from him. Presentation of challan and then its disposal will take considerable time and, therefore, applicants may be admitted to regular bail.

Learned APP opposed the prayer of applicant/accused while contending that the application may be dismissed in view of gravity of

offence involved.

Present case was registered on the statement of the complainant Maninder Singh. It is in the accusations that he has four shops situated near bus stand of Village Alamdipur, at Bahadurgarh-Ghanaur road. On the intervening night of 17/18.7.2023 at about 1 AM four persons tried to commit theft in his said shops and the said incident was seen by the complainant from CCTV footage of the cameras installed in his shops, which also runs online at his house. When the complainant alongwith other persons reached at his shop, he found that four persons had broken open the shutters of his shops and were loading the articles of his shops in Mahindra Bolero vehicle No.PB-03-P/9623, standing outside. But on seeing the people, the said persons managed to slip away taking the benefit of darkness, leaving the Bolero vehicle at the spot. During the investigation of the case, the applicant alongwith other accused persons were nominated and arrested in the present case.

It is observed that in the present case the recovery has already been effected. The applicant is in custody in the present case since 25.7.2023 and no longer required for investigation. Presentation of challan and its disposal will take time considerable time. In view of these circumstances and without commenting upon merits of the case, the present bail application is allowed and the applicant-accused is ordered to be released from custody on furnishing his bail bonds in the sum of Rs.50000/- (Fifty Thousand) with one surety in the like amount to the satisfaction of Ilqa Judicial Magistrate/Duty Magistrate, subject to the following conditions:-

- (1) That the applicant shall not leave the country without the prior permission of the Court;
- (2) That the applicant shall make himself available for interrogation by a Investigating Officer as and when required;
- (3) That the applicant 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;
- (4) That the applicant shall regularly attend the hearings before the trial Court.

The concerned Ahlmad is directed to send a soft copy of this order through e-mail to the applicant-accused, through the Superintendent of concerned jail. File be consigned to Record Room.

**Pronounced in open Court,
On 18.9.2023.**

**(Muneesh Arora)
Additional Sessions Judge,
Patiala.
(UID No.PB00135)**

Typed by Brijinder Batish
Stenographer-II