

Present: Sh. NK Arora, Advocate for applicants/accused.
Ms. Taranvir Kaur, Additional Public Prosecutor for the State.

ORDER:

This order will dispose of bail application under Section 439 Cr.P.C. filed by applicants/accused Varunpreet @ Preet, Gurdeep Singh @ Preetu, Jasvir @ Neeraj and Vishal @ Shallu, in case FIR No.42, dated 29.07.2023, under Sections 399, 402 IPC and 25 of Arms Act, PS, City Balachaur.

2. Tersely put, prosecution version is that on 29.07.2023 ASI-Shinder Pal along with other police officials was present at main chowk, Balachaur in connection with patrolling and checking of suspected persons, where he received secret information that Varunpreet @ Preet, Gurdeep Singh @ Peetu, Jasvir @ Neeraj, Vishal @ Shallu (present applicants/accused), Hanish Kumar @ Honey and Bhinda are sitting in Khad near Shani Dev Mandir along with weapons and they are planning to commit robbery in the bank of Balachaur. Then on the basis of secret information, FIR was registered and raid was conducted. During raid, present applicants/accused were arrested at the spot and out of them one person namely Bhinda ran away from the spot due to darkness.

3. Learned counsel appearing on behalf of applicants/accused has submitted that applicants/accused are innocent and they have been falsely implicated in the present case. The police has leveled false allegations against the applicants/accused. He has further submitted that applicants/accused are in custody since 29.07.2023 and alleged recovery has already been effected. Challan has been presented in the Court.

Conclusion of trial will take a long time and no useful purpose would be served by keeping them behind bar. Lastly, prayer has been made for granting bail to the applicants/accused.

4. Whereas, on the other hand, Ms.Taranvir Kaur, learned Additional Public Prosecutor, appearing on behalf of State has opposed the bail application and prayed that the same may be dismissed.

5. After considering the respective contentions of both the sides and having gone through the entire record carefully, it is found that instant application for regular bail filed by applicants/accused merits acceptance. Applicants/accused are in custody since 29.07.2023. Conclusion of trial will take sufficient long time and no useful purpose would be served by detaining them in custody for indefinite period. The criminal liability against the applicants/accused will be determined only after evaluating of evidence which will be adduced by prosecution during trial. Thus, keeping in view these facts and circumstances, present bail application is hereby allowed and the applicants/accused are ordered to be released on bail to the satisfaction of learned Trial Court/Duty Magistrate.

Pronounced.
Dated:20.10.2023.

-Vinay-

Karunesh Kumar,
Additional Sessions Judge,
Shaheed Bhagat Singh Nagar.
(UID No.PB-0082)

Present:Sh.NK Arora, Advocate for applicants/accused.
Ms.Taranvir Kaur, Additional Public Prosecutor for the State.

Record of learned Area Magistrate received. Arguments heard. Vide my separate detailed order of even date, present bail application stands disposed of. Record of learned Area Magistrate be returned with copy of this order. File of bail application be consigned to the record room.

Pronounced.
Dated:20.10.2023.

-Vinay-

Karunesh Kumar,
Additional Sessions Judge,
Shaheed Bhagat Singh Nagar.
(UID No.PB-0082)