

IN THE COURT OF AMARINDER SINGH GREWAL,
(Unique Identification Code PB 0037)
SESSIONS JUDGE, KAPURTHALA

CNR No. PBKP010051352022



Case No. BA/2102/2022

Presented on : 20-10-2022
Registered on : 21-10-2022
Decided on : 26-10-2022

Mehar Singh son of Balbir Singh, resident of village Lattianwal, PS
Sultanpur Lodhi, District Kapurthala.

-----Applicant

Versus

State of Punjab.

----- Respondent

FIR No.262 Dated 02.10.2022
Under Section: 379/411IPC
Police Station: Sultanpur Lodhi, District Kapurthala.

Bail Application under Section 439 Cr.P.C.

Present: Sh. Sukhminder Singh Advocate, Counsel for the applicant.
Sh. Anil Kumar, Ld. Addl. PP for the State.

ORDER:

1. Applicant Mehar Singh son of Balbir Singh, has filed the bail application under Section 439 Cr.P.C. and notice of the same was given to the State.
2. Heard. The record reveals that FIR No.262 dated 02.10.2022, under Section 379/411 IPC was registered at Police Station Sultanpur Lodhi, District Kapurthala, on the basis of statement of complainant ASI Balbir

Singh No.1351/Kpt., who had submitted that on 02.10.2022, he alongwith Alamjit Singh No. 910/Kpt., ASI Shinderpal No. 1494/Kpt., on Government vehicle No. PB09-X 6110 driven by ASI Malkiat Singh No.1197, in connection with nakabandi duty, were present at Gate No.2 Hussainpur. There he received secret information that Mehar Singh son of Balvir Singh (applicant) resident of village Lattianwal, Sultanpur Lodhi, had committed the theft of motorcycle bearing registration No. PB29-V-6471 make Hero Splender Pro and he is coming from the side of Saido to sell the same and in case the nakabandi be held on the turn of village Saido, accused can be apprehended. Accordingly the nakabandi was held on the turn of village Saido. After sometime the accused was seen coming on motorcycle bearing registration No. PB29-V-6471 and the accused was signalled to be stopped and then on asking the accused disclosed his name as Mehar Singh son of Balvir Singh, resident of village Lattianwal. Then, ASI Balbir Singh asked for documents of the motorcycle and on this accused told ASI Balbir Singh that he had committed the theft of motorcycle from District Moga. Accordingly, then the motorcycle was taken into police possession. Accused was arrested formally.

3. So since the recovery of motorcycle has already been effected from the present applicant and the present applicant is in lockup for the last more than 20 days and further this Court keeping in mind the fact that the offences under section 379/411 IPC are triable by the court of Learned JMJC, feels that no useful purpose would be served by detaining the applicant behind the bars for an indefinite period as there is every likelihood that it will take sufficient time in the presentation of the challan.

Accordingly, the bail application is allowed and applicant/ accused Mehar Singh son of Balbir Singh is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety of the like amount, to the satisfaction of Illaqa/ Duty Magistrate. Police record be returned and the file of the bail application be consigned to the record room.

Pronounced.
Dated:26.10.2022
Raman Kumar
Stenographer G-I

(Amarinder Singh Grewal)
Sessions Judge, Kapurthala

Mehar Singh Vs. State.

B.A No. 2102 dated 2022.

CNR No.PBKP01-005135-2022.

Present: Sh.Sukhminder, Ld. Counsel for the applicant.
Sh. Anil Kumar, Ld. Addl. P.P for the State.

Arguments heard. Vide separate detailed order of even date, the application has been allowed. Police record be returned and the file of the bail application be consigned to the record room.

Pronounced.

Dated:26.10.2022

Raman Kumar
Stenographer G-I

(Amarinder Singh Grewal)
Sessions Judge, Kapurthala