

BAIL APPLICATION NO. : 1856 of 2018
CNR NO. : PBAS01-005342-2018
DATE OF INSTITUTION : 23.04.2018
DATE OF ORDER : 27.04.2018

STATE Vs

1. Sant Ram
2. Hussan Lal both sons of Shri Tulsi Ram, resident of Bilaspur, Tehsil and District Hoshiarpur
3. Balwinder Singh alias Bobby son of Sh. Sant Ram, resident of Bilaspur, Tehsil and District Hoshiarpur.

APPLICANTS-ACCUSED

FIRST INFORMATION : 4 of dated 20.01.2017
REPORT NO.

UNDER SECTIONS : 420/120B IPC later on
406 IPC added in the
abovesaid FIR

POLICE STATION : Mattewal, Amritsar

Ist Bail application under section 438 Cr.P.C for the grant of anticipatory bail.

Present:- Sh. Parminder Singh Boparai, counsel for applicants-accused.

Sh. Sandeep Sharma, Addl.P.P. for the State.

ORDER

1. This order of mine shall dispose off present above-mentioned bail application filed by applicants-accused Sant Ram and others, aforesaid, under section 438 Cr.P.C for the grant of anticipatory bail in the above-mentioned FIR.

2. Notice of present bail application was issued to State and upon notice, learned Additional Public Prosecutor appeared on behalf of State and contested the bail application. Police Record also produced.

3. Learned Additional Public Prosecutor for the State argued that there are specific allegations against the applicants-accused. The offence is serious in nature. Therefore, present bail application must be dismissed.

4. On the other hand, learned counsel for applicants-accused argued that the applicants-accused have been implicated in the false case. The Hon'ble Punjab & Haryana High Court, Chandigarh, granted

bail to the accused for the offence under sections 420/120B IPC. Now the offence under section 406 IPC has been added. The applicants-accused are ready to join the investigation as and when required, therefore, the applicants-accused may be granted anticipatory bail.

5. From the submissions of learned Additional Public Prosecutor, learned counsel for the applicants-accused and from the perusal of the record it is clear that there was business dealings of crop of peas between the complainant party and the accused party namely Sant Ram, Balwinder Singh and Husan Lal. They cheated the complainant to the tune of Rs.18,00,000/-. Previously bail applications of applicants-accused for the offence under sections 420/120 B IPC were dismissed by this Court vide order dated 28.02.2018. Now vide Rapat No.12 dated 20.04.2018, the offence under section 406 IPC has been added. The allegations against the applicant-accused are serious in nature. On considering the facts and circumstances of the case, I find that in the cases of present nature, it is not appropriate for this court to stand in the way of the proper and effective investigation. Moreover, there are certain facts, relating to the offence, which are in the exclusive knowledge of the applicants and for which, custodial

interrogation of applicants is required and accordingly, the instant bail petition is dismissed. File be consigned to the record room.

PRONOUNCED IN OPEN COURT.

DATED : 27.04.2018

(AVTAR SINGH)
ADDITIONAL SESSIONS JUDGE,
AMRITSAR
UID No.PB0086

Naresh Kumar
Stenographer(Grade-II)