

**IN THE COURT OF PARMINDER SINGH RAI
ADDITIONAL SESSIONS JUDGE, GURDASPUR**

CIS No. BA/1815/2024
CNR No. PBGD01-00448-2024
Date of Order: 05/06/2024

Jorawar Singh @ Fattu s/o Dalbir Singh, r/o village Sahari, Tehsil
and District Gurdaspur.

.....Petitioner

Versus

State

.....Respondent.

FIR No.95 Dated 17/08/2021
U/Ss 379-B, 34 IPC
Police Station:- Dhariwal

2nd application for bail under Section 439 Cr.P.C.

Present: Shri B.S. Randhawa, Advocate, counsel for petitioner.
Shri Vikram Kashyap, Ld. Additional P. P for State

ORDER

Present petition has been filed by petitioner seeking regular bail under Section 439 of Cr.P.C. for the alleged commission of offences as mentioned above.

2. Upon notice, learned Additional P.P put in appearance on behalf of respondent-State and contested the bail application. Police record was also requisitioned.

3. It is submitted by learned counsel for the petitioner that petitioner was regularly appearing before the Court but he could not appear before the court since 10.08.2022 as next date was not informed by his counsel to him. The absence of petitioner was not

intentional. He has been coming in custody since 23.11.2022. Conclusion of trial shall take sufficient long time and no purpose would be served by keeping the petitioner behind the bars for indefinite period, so, he may be admitted to regular bail.

4. On the other hand, it is submitted by learned Additional Public Prosecutor that the petitioner intentionally absented from learned trial court in order to delay the proceedings, so the present bail application is liable to be dismissed.

5. I have considered the contentions of learned counsel for petitioner as well as Ld. Addl. Public Prosecutor and also perused the record.

6. Present FIR was got registered by Anshdeep Singh with the allegations that on 17/08/2021, he along with his friend Prabhjot Singh were going to Dhariwal on a Scooty for taking tuition. He stopped the said Scooty near Bebe Nanki College on left side of the road and was waiting for his friend. At 12-20 p.m, two young men came on a motorcycle and they stopped their motor cycle near them. They started threatening them. Then young man, who was driving the motorcycle snatched his mobile make Redmi Note 9 and then they fled away from the spot on their motorcycle. He noted down the registration number of the aforesaid motorcycle as PB-18-P-5007 make Yahama. They followed the motorcycle on their Scooty but the aforesaid persons succeeded in fleeing on their motorcycle. They also

checked CCTV footage of Malhotra Cloth House and they identified the aforesaid snatchers as Taljinder Singh @ Lalli son of Sulakhan Singh, resident of Dula Nangal, Police Station Ghuman Kalan who was driving the motorcycle and the pillion rider was identified as Jorawar Singh @ Fattu son of Dalbir Singh, resident of Sahari.

7. This is second regular bail application on behalf of accused-applicant as first regular bail application has been allowed by the court of Sh. Jaswinder Singh, the then Ld. Addl. Sessions Judge, Gurdaspur vide order dated 09.02.2022. However, during the proceedings of the trial, he absented himself since 10.08.2022. Thereafter, in order to procure his presence he was even summoned through non bailable warrants and even non-bailable warrants. Lateron, he himself surrendered before the court on 23.11.2022 and since then he has been coming in custody. He has surrendered on its own which shows that he is ready to face trial gracefully. He is coming in custody since 23.11.2022. He must have learnt a lesson for remaining absent from the Court. The disposal of trial shall take sufficient long time and no purpose would be served by keeping the petitioner behind the bars for indefinite period. As such, present application is hereby allowed and petitioner is admitted to regular bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety each in the like amount subject to the following conditions:-

- i. That he will appear in the court on each and every date of hearing;

- ii. That he will not leave the country without prior permission of the Court;
- iii. That he will not make any threat, promise or inducement to any person conversant with the facts of the case to dissuade him/her from disclosing the truth to the Court or police;

Bonds not furnished. Record of present bail application
be attached with the main file.

Pronounced
Dated:05/06/2024
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Addl. Sessions Judge,
Gurdaspur

Present: Shri B.S. Randhawa, Advocate, counsel for petitioner.
Shri Vikram Kashyap, Ld. Additional P. P for State

Judicial record perused. Arguments heard. Vide my separate detailed order of even date, bail application has been allowed, subject to the detail mentioned therein. Bonds not furnished today. Record of present bail application be attached with the main file.

Pronounced
Dated:05/06/2024
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Addl. Sessions Judge,
Gurdaspur