

**In the court of Shri Hira Singh Gill
Addl. Sessions Judge, Jalandhar.
UID No (PB0153)**

B.A. No.2327/2020
Filing No.4532/2010
CNR No. PBJL01-006064-2020
Date of Filing:24.6.2020
Date of Order: 2.7.2020.

Rajesh Kumar @ Gaurav age about 30 years son of Sat Pal,
resident of house no.918, Preet Nagar, Kapurthala.

.....Accused/applicant

Versus

State of Punjab

FIR No.179 dated 6.11.2018
U/s 379-B IPC
P.S. Bhogpur, Jalandhar.

[Application for Bail U/s 439 of Cr.P.C.]

Present: Shri Rajeev Suri, Adv. for accused/applicant.
online whatsapp.
Shri Manoj Kumar, Addl. PP for the State.

ORDER:

1. The instant bail application has been filed under section 439 CrPC, praying for grant of regular bail to the accused/applicant in case FIR No.179 dated 6.11.2018 under section 379-B IPC, registered at police station Bhogpur, Jalandhar.

2. The case of the prosecution is that FIR was registered on the complaint of Daljit Singh complainant, who stated that accused/applicant by showing him something like pistol asked him to

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handover cash. He gave ₹2000/- from *galla* (safe), ₹1000/- from his purse and ₹10,000/- from his kit bag. The accused/applicant by saying that do not disclose the incident to anyone and ran away from the spot with their motorcycle. The accused/applicant has been arrested by PS Tanda in FIR No.25 dated 10.2.2019 and it transpired that offence in question is also committed by the accused/applicant. He has been identified by the complainant in police custody. Motorcycle and pistol were recovered from the accused/applicant.

3. The case of the accused/applicant is that he has been falsely involved in this case as he was arrested in some other case. Accused/applicant has not committed the offence as alleged and he has been in custody since 19.3.2019.

4. While on the other hand, learned Addl.PP for the State contested the bail application by submitting that offence in question is serious one, therefore, the accused/applicant is not entitled to bail.

5. I have considered the rival submissions and have also gone through the file.

6. The accused/applicant has been in custody since 19.3.2019. No recovery of stolen cash has been effected from the accused/applicant. He has been identified only in the police custody. Conclusion of the trial will take its own time. In view of these factual circumstances, the bail application of the accused/applicant succeeds and he is directed to be released on bail on furnishing bail bonds in the sum of ₹70,000/- with one surety of the like amount, subject to the following

conditions:

- a) That he will not tamper with the prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any of the person acquainted with the facts of the case, dissuading them from disclosing the same to the court/ investigating agency; and
- b) That he will not leave the limits of India without prior permission of the court.
- c) That he will appear in the court on each and every date of hearing.

7. Bail application file be attached with the main case file.

**Pronounced in open court.
Dt 2.7.2020.**

**(Hira Singh Gill)
Addl. Sessions Judge
Jalandhar. UID No (PB0153)**

Sukhwinder Singh

Hira Singh Gill
Addl. Sessions Judge, Jalandhar

CNR No.PBJL01-006064-2020

Present: Shri Rajeev Suri,Adv. for accused/applicant.
online whatsapp.
Shri Manoj Kumar, Addl.PP for the State.

Arguments heard. Vide my separate detailed order of even,
date, the bail application has been allowed as detailed therein. Bail
application file be attached with the main case file.

Pronounced in open court.
Dt.2.7.2020.

(Hira Singh Gill)
Addl. Sessions Judge
Jalandhar.UID No (PB0153)

Sukhwinder Singh

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Addl. Sessions Judge, Jalandhar