

State versus Ajay Singh

Present: Shri Sanjeev Kumar Bansal, learned Advocate for applicant.
Mrs.Veenu Ghai, learned Addl. Public Prosecutor for the State.

ORDER

- 1) This order of mine shall dispose of regular bail application filed by the applicant in the FIR No.67 dated 16.06.2024 under section 399, 402 of the Indian Penal Code, Police Station Sadar, Bathinda.
- 2) Notice of the bail application was given to the prosecution and learned Additional Public Prosecutor for the State has appeared to contest the bail application. Trial file pending in this court taken up, which is seen and returned.
- 3) Learned counsel for the applicant has submitted that latter has been falsely implicated. The FIR has been registered on the basis of secret information. Only general and vague allegations have been levelled against the applicant. Nothing has been recovered from the accused/ applicant. It will take a long time to conclude the investigation and trial, so, no purpose will be served by keeping the accused/ applicant behind bar. With these submissions, he has submitted that applicant/ accused may be granted the concession of regular bail.
- 4) Per-contra, learned Additional Public Prosecutor for the State has argued that applicant/ accused is involved in a serious offence, so he is not entitled for the concession of bail. It has been prayed that the bail application be dismissed.

5) I have heard rival contentions of both the sides and perused the record.

6) The present FIR has been lodged on 16.6.2024 on the basis of secret information that Bhullar Singh son of Gurmukh Singh, Ravi son of Satpal Singh, Sarabjit Singh son of Gurmit Singh, Ajay Singh son of Balwinder Singh, residents of Bir Talab, Pritpal Singh son of Bhinder Singh, resident of Sardargarh, District Bathinda having a Bullet No.PB-91E-3523, a splendour motorcycle without number and they are sitting in the bushes by the side of canal in the area of Bir Behman Road. They are armed with deadly weapons and making preparation for committing dacoity. If raid is conducted, they can be apprehended red handed.

7) On the basis of said information, case was registered and raid was conducted at the disclosed place. Accused Sarabjit Singh son of Gurmit Singh, Ajay Singh son of Balwinder Singh, Ravi Singh son of Satpal Singh, Bhullar Singh son of Gurmukh Singh and Pritpal Singh were arrested at the spot. From the search of Bhullar Singh, a handle of handpump, from the search of Ravi Singh, iron kirch, from the search of Sarabjit Singh handle of handpump, from the search of Ajay Singh handle of spade and from the search of Pritpal Singh, one baseball was recovered.

8) The accused/ applicant was arrested on the basis of secret information. Alleged recovery has already been effected. The applicant/ accused is in custody since 16.06.2024. Conclusion of investigation and trial is likely to take a long time, so, no useful purpose will be served by keeping the accused/ applicant in custody for an indefinite period, rather it would be burden on the State Exchequer. Hence, keeping in view the

facts and circumstances of the case, the applicant/ accused is ordered to be released on bail on his furnishing bail bonds to the satisfaction of learned Illaqa Magistrate subject to the following conditions:-

1. The applicant/ accused shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to the police.
2. The applicant shall not tamper with the prosecution evidence in any manner.
3. The applicant shall not leave country without prior permission of the court.
4. The applicant shall appear on each and every date of hearing before the trial court.

9) The bail application stands allowed accordingly. A copy of this order be sent to the learned Illaqa Magistrate. File be consigned to the record room.

Pronounced in the Open Court:
Dt.18.07.2024.

(Dinesh Kumar Wadhwa),
Additional Sessions Judge,
Bathinda (UID:PB-0445).

Kulwinder Singh,
Stenographer(Grade-II).