

(1)

State Vs. Gurmeet Singh

B.A. No.203 of 10.12.2018
C.Gen. No. BA/17801/2018
CNR No. PBLD010279592018
Date of order: 20.12.2018
(2)

State Vs. Mohd. Afzal

B.A. No.226 of 15.12.2018
C.Gen. No. BA/17993/2018
CNR No. PBLD01028532018
Date of order: 20.12.2018

FIR No.99 of 25.4.2018
Under sections 457/380 IPC, later on added
sections 148/395/149 IPC
P.S. Meharban, Distt. Ludhiana.

Present: Ms. Rachna Dev and Sh. Amandeep Singh Advocates, for
accused/applicants Gurmeet Singh and Mohd Afzal.
Sh. B.D.Gupta, Addl. PP for the state

O R D E R:

These two above referred applications have arisen from same
FIR No. 99 of 25.4.2018, Under sections 457/380 IPC, later on added
sections 148/395/149 IPC P.S. Meharban, Distt. Ludhiana and, hence, are
being dealt with through this common order. Main file pending for
17.1.2019 put up by the Ahlmad and is perused. Heard on these
applications for regular bail moved by abovesaid accused/applicants in the
said FIR case.

2. Version of complainant Inderpal Tandon, in nutshell is that
he is running a factory M/s R.R.Tandan Knitwears in Vishal Colony,
Kakowal Road, Ludhiana. On 24.4.2018 he had received a telephonic call
from his Cutter Master Sarju that the locks of his factory were lying
broken. Then complainant reached there and found that some unknown
persons, after breaking opening the locks of factory in the intervening
night of 23/24.4.2018, had stolen away 31 bags of thread, 12 rolls of cloth
and one electric cutter from there. Accordingly, the current FIR was

registered against unknown persons. During investigation, applicants were arrested on 17.6.2018.

3. Ld. Counsel for applicants argued that that latter have been falsely implicated in this case. Nothing was recovered from them. Otherwise also they are in custody since 17.6.2018. Some co-accused already are on bail. Conclusion of trial will take considerable time and, therefore, applicants may be admitted to regular bail.

4. Ld. Addl.PP opposed the prayer of applicants/accused while contending that the applications may be dismissed in view of gravity of offence involved.

5. Challan against the applicants/accused is now before this court in which charge has been framed. Applicants are in custody since 17.6.2018 and they being in judicial custody are not required to be kept there for any instant purpose. Alleged recovery already has been effected. No useful purpose would be served by keeping the applicants behind bars for indefinite period as disposal of trial will take considerable time. Some co-accused already are on bail. Therefore, without commenting on merits of this case, these bail applications are allowed. Applicants/accused are admitted to bail on furnishing of their respective personal bond in the sum of Rs. 50,000/- with one like surety each and also subject to condition that they will appear on each and every date of hearing; that they 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 any Police Officer; and that they shall not leave the country without the previous permission of the Court. Main file be returned to Ahlmad. Copy of this order be placed in connected bail application bearing No. BA/17993/2018. These papers be attached with main file which be returned to Ahlmad.

Pronounced in open court.

20.12.2018

(Rajeev K. Beri),
Addl. Sessions Judge,
Ludhiana (UID No.PB-0149).

Rajinder Pal, Stenographer-I