

IN THE COURT OF SH. KARAMJIT SINGH SULLAR,
ADDITIONAL SESSIONS JUDGE, LUDHIANA (UID-PB0141)

Bail Application No.324 of 11.12.2018.
CIS No. BA/17831/2018.
CNR No. PBLD01-027993-2018.
Date of Decision : 20.12.2018.

State of Punjab.

Versus

Harpreet Kumar son of Somnath resident of Mohalla Ramdas Nagar,
Near Barnala Chowk Raikot, Tehsil Raikot, District Ludhiana.

... .. Applicant.

FIR No.113 dated 01.12.2018,
under Section : 379-B IPC,
Police Station : City Raikot, District Ludhiana.

Application for regular bail u/s 439 Cr.P.C.

Present - Sh. Ashok Bhandari, Advocate for the applicant.
Sh. Jinderpal Singh, Additional P.P. for the State.

ORDER:

Applicant Harpreet Kumar filed the present application for regular bail under Section 439 Cr.P.C.

2. Notice of the present application for bail was issued to the State. Then, the ld. APP for the State, on receipt of the notice, appeared to contest the same, on producing record by the investigating agency.

3. The ld. counsel for the applicant contended that applicant is falsely implicated in this case. Now, the applicant is in custody since long and he is not required for custodial interrogation. Presentation of challan and conclusion of trial shall take long time. So, the applicant may be released on bail.

4. On the other hand, the ld. Addl. PP for the State argued that the applicant has committed heinous offence and he cannot be given the benefit of bail at this stage. Then, the ld. Addl. PP for the State placed copy of recovery memo of motorcycle bearing no. PB-10-FL-4768

dated 01.12.2018 on record. The ld. Additional PP for the State further argued that keeping in view the gravity of offence committed by the applicant, he does not deserve any kind of leniency, therefore, this application for bail may be dismissed.

5. I have considered the respective submissions of the ld. counsel for the applicant, the ld. Addl. PP for the State and have perused the police record carefully. The present case was registered on the basis of statement of complainant Jaswant Singh son of Jagdish Singh resident of Dashmesh Nagar, Roopa Pati Road, Near Gurudwara Tahliana Sahib, Raikot, in which, he stated that he is resident of above said address and he used to do the household work. On 15.11.2018 at about 06:00 PM, he (complainant Jaswant Singh) was going from Tahliana Sahib towards Roopa Pati road while talking with his friend on mobile phone mark S.I.Y-1. Then, two Hindu gentlemen had come there on Bajaj Platina motorcycle bearing no. PB-10-FL-4768, who were having muffled faces. Then, the above said persons had forcibly snatched his (complainant Jaswant Singh's) above said mobile phone and after then, he had come to know the names of above said persons as Karan Kumar son of Suraj Singh resident of Jalal diwal and Harpreet Kumar son of Somnath resident of Mohalla Ramdas Nagar, Near Barnala Chowk Raikot. If the nakabandi is conducted immediately at Barnala Chowk, then the above said persons can be apprehended. Action may be taken. Then, the present FIR was registered and investigation was initiated, during which, applicant Harpreet Kumar was arrested. Now, applicant Harpreet Kumar is in custody since long in this case and he is no more required for any custodial interrogation. Presentation of challan and conclusion of trial will take sufficient time. No useful purpose would be served by detaining applicant Harpreet Kumar behind bars for indefinite period. Therefore, the contention of the ld. counsel for the applicant raised with regard to the application for bail is found to be sustainable, resulting of which, the application for

bail under section 439 of Cr.P.C., moved by applicant Harpreet Kumar is hereby allowed and applicant Harpreet Kumar is admitted on bail on furnishing personal bonds and surety bonds to the satisfaction of the Id. Ilaqa Magistrate/Duty Magistrate, Jagraon subject to following conditions :-

- a) that the applicant shall make himself available for interrogation by a police officer as and when required.
- b) that the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the accusations against him so as to dissuade him from disclosing such facts to the court or to any police officer.
- c) that the applicant shall not leave India without the previous due permission of the court.

File of this bail application be consigned to the record room.

Announced on : 20.12.2018.

(Karamjit Singh Sullar)
Addl. Sessions Judge, Ludhiana.
UID-PB0141.

Deepak Sharma/SG.

BA/17831/2018

CNR No. PBLD01-027993-2018.

State of Punjab Vs. Harpreet Kumar

Present - Sh. Ashok Bhandari, Advocate for the applicant.
Sh. Jinderpal Singh, Additional P.P. for the State.

Police record received, perused and returned. Then, the Id. Addl. PP for the State placed copy of recovery memo of motorcycle bearing no. PB-10-FL-4768 dated 01.12.2018 on record. Then, arguments on the present application for regular bail moved by applicant Harpreet Kumar, heard. Vide separate detailed order of even date, the present application for bail is allowed. File of this bail application be consigned to the record room.

Announced on : 20.12.2018.

(Karamjit Singh Sullar)
Addl. Sessions Judge, Ludhiana.
UID-PB0141.

Deepak Sharma/SG.