

**IN THE COURT OF SH.DINESH KUMAR,
ADDITIONAL SESSIONS JUDGE,
(UID:PB0445)
MANSA.**

Bail application No.61 dated 28.01.2021
CNR No.PBMN01-000341-2021
CIS No.BA/171/2021
Date of Order:02.02.2021

Hardeep Singh alias Gagu alias Jai Mata age about 25 years son of Baljinder Singh alias Jindu Singh resident of village Sahnewali Tehsil Sardulgarh District Mansa, now confined in District Jail Mansa.

Applicant-accused.

Versus

State of Punjab

FIR No.140 dated 12.08.2020,
U/Ss 458, 395, 427, 148, 149 of Indian Penal Code,
PS Jhunir, District Mansa

Application for grant of bail under Section 439 Cr.P.C.

Present: Sh.G.S.Jhanduke, Learned Advocate for applicant-accused.
Sh.P.S.Chahal, Learned Additional Public Prosecutor for State

ORDER

1. This order of mine shall dispose of regular bail application filed by the aforementioned applicant/accused.
2. The present FIR has been lodged on the statement of complainant Gagandeep Kaur on the allegations that in the intervening night of 11/12.08.2020, she along with her mother Shinderpal Kaur and her sister-in-law (Bharjai) Simarjit Kaur was present in their house. At about 11.00 pm, applicant/accused along with other co-accused entered in

their house armed with iron rods and pipes etc. The aforesaid accused badly damaged the vehicles i.e. car no.PB-50AJ-8989 and Activa No.PB-31K-7222, parked in their house. The aforesaid accused persons ransacked the household articles i.e washing machine and cooler. Allegedly, aforesaid accused committed dacoity of Rs.50,000/- from the house of the complainant. Applicant/accused was arrested in this case on 23.11.2020 and since then, he is in custody.

3. Learned counsel for the applicant has argued that applicant is innocent and he has been falsely implicated in the present case. He further argued that no offence under section 395 of IPC is made out against the applicant. He further argued that applicant is in custody since 23.11.2020. No specific allegations have been levelled against the applicant. He further argued that there is a delay in the FIR which has been utilized for falsely implicating the applicant. The police will take considerable time in submitting the challan and there is no justification to keep the applicant behind the bars for indefinite period. With these submissions, he prayed for grant of regular bail to the applicant.

4. Per contra, Shri P.S.Chahal, Learned Additional Public Prosecutor for State has argued that there are serious allegations against the applicant/accused. He argued that applicant along with other co-accused trespassed into the house of the complainant and committed dacoity of Rs.50,000/-. They also ransacked the household articles of the complainant. With these pleas, he prayed for dismissal of the present bail application.

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

6. As per the prosecution version, applicant/accused Hardeep Singh alongwith other co-accused trespassed into the house of complainant and caused damage to the vehicle and other gazettes lying in the house of the complainant. No specific act has been attributed to the accused. The applicant is in custody since 23.11.2020. The complicity of the accused in the commission of offence shall be adjudicated after the conclusion of trial. The police will take considerable time to submit the challan. No useful purpose would be served by keeping the accused in judicial custody for a long time. Therefore, present bail application is accepted and applicant-accused is ordered to be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of Ld. Ilqa/Duty Magistrate subject to the following conditions that:

1. he will appear in the court on each and every date of hearing;
2. he will not leave India without prior permission of the court;
3. he will not tamper with the evidence of prosecution.

Copy of this order be sent to Learned trial Court for compliance.

Police record be returned. File be consigned to the record room.

Pronounced:02.02.2021
Raj/SG-1

(Dinesh Kumar),
Addl. Sessions Judge,
Mansa.
(UID NO.PB0445)

State Vs. Hardeep Singh

Present: Sh.G.S.Jhanduke, Learned Advocate for applicant-accused.
Sh.P.S.Chahal, Learned Public Prosecutor for State

Record produced. Arguments heard. Vide my separate detailed order of even date, present bail application is hereby allowed. Copy of this order be sent to Learned trial Court for compliance. Police record be returned. File be consigned to the record room.

Pronounced:02.02.2021
Raj/SG-1

(Dinesh Kumar),
Addl. Sessions Judge,
Mansa.
(UID NO.PB0445)