

Guljar Khan Vs. State of Punjab1

**IN THE COURT OF PARMINDER SINGH GREWAL,
ADDITIONAL SESSIONS JUDGE, SANGRUR UID NO.PB0438

CIS Regs.No.....BA-2340-2024
CNR No....PBSG01-006780-2024
Date of Order.....16.08.2024

Guljar Khan aged about 29 years son of Desh Raj Khan, resident of Dhaliwal Patti, Gujran, Tehsil Sunam, District Sangrur (**Now confined in District Jail Sangrur**).

....Applicant-Accused

Versus

State of Punjab

FIR No.65 Dated 16.06.2024
under Section 457, 380, 411 IPC
Police Station: Dirba

**Bail Application under Section 483 B.N.S.S. for releasing the
accused/applicant Guljar Khan on bail, till final disposal of
present case**

Present : Mr. B.S. Khattria, Advocate for the petitioner
Mr. Mohd. Hasib, Addl. P.P. for the State assisted by
ASI Mahipal Singh, Investigating Officer

ORDER:

1. This order of this court shall dispose of the present bail petition filed in case FIR No.65 dated 16.06.2024, u/s 457, 380, 411 IPC, registered at Police Station, Dirba for releasing the present petitioner on regular bail under Section 483 B.N.S.S.

2. Ld. counsel for the petitioner has submitted that the present petitioner has been falsely implicated in the present FIR case. He has further submitted that the present petitioner has been custody since

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16.06.2024 and therefore, he is no more required by the police for further investigation. He has, thus, prayed that the present bail petition may kindly be allowed.

3. On the other hand, Ld. Additional Public Prosecutor for the State assisted by ASI Mahipal Singh, the Investigating Officer has submitted that the present petitioner along with his co-accused Balwinder Singh had stolen the electric tools belonging to the complainant during the intervening night on dated 14/15.06.2024. He has thus prayed for dismissal of present petition.

4. This court has heard ld. counsel for the petitioner as well as ld. Additional Public Prosecutor for State and have perused the record of the present case with their able assistance.

5. This court is of the considered view that as per allegations levelled against the petitioner and his co-accused in the present FIR case, on dated 14.06.2024 in the evening, the complainant had gone to his Village Rogla after finishing his work and on the next day on dated 15.06.2024 in the morning, when he returned to his work, he saw one big hammer machine, one screw machine, one wood cutting cutter and two iron cutting cutters had been stolen out of his goods by some person/persons. It has been further alleged that the after inquiry, the complainant came to know that the aforesaid goods have been stolen by the petitioner Guljar Khan and his co-accused Balwinder Singh during the intervening night on dated 14/15.06.2024.

6. Furthermore, this court is of the considered view that the present petitioner has been in judicial custody at present since 16.06.2024 and thus, he has suffered custodial interrogation in this case and he is not required for further custodial interrogation at this stage. Furthermore, part of the recoveries of the stolen goods have already been effected in this case and the presentation of challan and the conclusion of trial would likely to take up considerable time as trial of the present case is at its initial stage before Id. Area Magistrate concerned/trial Court and therefore, no useful purpose will be served by keeping the present petitioner in further judicial custody.

7. In view of reasons discussed herein before, the present bail petition is hereby allowed and the present petitioner is ordered to be released on regular bail under Section 483 of BNSS in this case on his furnishing bail bonds/surety bonds to the satisfaction of the Ld. Area /Duty Magistrate concerned.

8. The opinion expressed herein above shall not be construed as an expression of opinion on the respective merits of the case and the same shall be construed as the opinion expressed for deciding this bail petition only. Investigating record is hereby returned. File be consigned to the record room.

Pronounced in Open Court.
Date:16.08.2024

(Parminder Singh Grewal)
Additional Sessions Judge,
Sangrur. UID No.PB0438

Parminder, Stenographer Gr.-II

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Present : Mr. B.S. Khattria, Advocate for the petitioner
Mr. Mohd. Hasib, Addl. P.P. for the State assisted by
ASI Mahipal Singh, Investigating Officer

Investigation record has been received and perused.

Arguments have been heard. Vide my separate detailed order
of even date, this petition has been allowed as stated therein. Investigation
record be returned. File be consigned to record room.

(Parminder Singh Grewal)
Additional Sessions Judge,
Sangrur. UID No.PB0438

Date:16.08.2024
Parminder, Stenographer Gr.-II