

State vs. Sandeep Kumar @ Sunny

Present: Sh.Gurdeep Sharma,Adv.counsel for applicant
(through video conference).
Sh.Amarjit Syal, Addl.PP for the State.

- 1) This order of mine shall dispose of regular bail application filed by applicant in the FIR No.127 of 17.6.2017, u/s 379B, 411, 34, 413 IPC (lateron enhanced u/s 25 Arms Act) PS Civil Lines, Bathinda.
- 2) Ld.counsel for the applicant has submitted that the application had been allowed bail for the offences u/s 379B, 411, 34, 413 IPC by the court of Sh.P.P.Singh, the then Ld.Addl. Sessions Judge, Bathinda vide order dated 30.8.2017. However, as per above said order, bail bonds and surety bonds were furnished, but now the applicant came to know that offence u/s 25 Arms act was enhanced.
- 3) On the other hand, learned Addl.PP for the State has opposed the bail application.
- 4) I have considered the submissions made by learned counsel for the applicant as well as learned Addl.PP for the State.
- 5) Perusal of the file reveals that the instant case was registered on the basis of secret information to the effect that accused/applicant Sandeep Kumar and Veer Singh, had snatched some articles on GT Road near Ambedkar statue, Bathinda on 15.6.2017 and they are roaming on a Palteena motorcycle bearing No.PB-03AG-4385, in order to sell the said articles. If they are apprehended, then stolen articles could be recovered from them. The information being reliable, ruqa was sent to the police station on the basis of which FIR was registered against the accused. The

accused/ applicant along with co-accused Veer Singh were arrested and from the possession of applicant/accused one mobile Lenovo, two pairs of tops of gold and one Palteena motorcycle bearing RC No. PB-03AG-4385 were recovered. From co-accused Veer Singh two Mobile Phones of Apple were recovered.

6) The present applicant had already been ordered to be released on bail for the offences u/s 379B, 411, 34, 413 IPC by the court of Sh.P.P.Singh, the then Ld.Addl. Sessions Judge, Bathinda vide order dated 30.8.2017. Applicant is now seeking bail for the offence u/s 25 of the Arms Act, which was added lateron. Offence u/s 25 Arms Act had been added lateron as pursuant to the disclosure statement of the applicant, one revolver 32 bore alongwith 9 cartridges were got recovered. Applicant is already in custody since the date of his arrest i.e. 22.6.2017 and he has already been granted bail for the offence u/s 379B, 411, 34, 413 IPC.

7) So, without commenting upon the merits of the case, applicant/ accused is ordered to be released on bail u/s 25 Arms Act as well, on his furnishing of bail bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of Id.Illaqa/ Duty Magistrate subject to the condition that he shall appear on each and every date of hearing; he shall not leave the country without prior permission of the Court and shall not induce the prosecution witnesses. He shall surrender his passport, if any, in the Court after his release. If he does not possess any passport, then affidavit in this respect be furnished. The bail application stands, accordingly, allowed. A copy of

this order be sent to the court of Id.Illaqa Magistrate for compliance. Bail application be attached with the main trial.

Pronounced in the Open Court:
Dt.26.06.2020.

Kulwinder Singh,
Stenographer(Grade-II).

(Sanjeeta),
Addl. Sessions Judge(D)
Bathinda (UID:PB-0177).