

Dated of order: 12.11.2020

Application u/s 438 Cr.P.C.

—

Present: Sh. Rajneesh Dahiya, Adv., counsel for the applicants/
accused.

Sh. Dalip Kumar Addl.PP for the State.

ORDER

1. Today, an application has been moved by the applicant/accused wherein it has been submitted that offence under section 201 IPC has been added lateron.

2. ASI Gurcharan Singh has appeared and suffered separate statement that offence under section 201 IPC has been added later on vide GD no.38 dated 11.11.2020 and the applicants/accused have joined the investigation on 11.11.2020. However, recovery is yet to be effected.

3. Perusal of the record shows that the applicant/accused was granted anticipatory bail, vide order dated 05.11.2020, for the offence under sections 427,447,379,283 IPC.

4. While taking into consideration the aforesaid factual position, alongwith the fact that when the applicants/accused have already been granted concession of bail for the earlier offences, same relief has also been extended to them for the newly added offence under section 201 IPC, as per order dated dated 05.11.2020.

5. Heard.

6. A criminal case bearing FIR No.226, dated 16.10.2020, under sections 427,447,379,283,201 IPC(201 IPC added lateron) and Section 4 of Punjab Prevention of Damage to Public and Private Property Act, 2014, Police Station, Guruharsahai, has been registered against the applicant/accused. ASI Gurcharan Singh has made statement that applicants/accused Harbhajan Singh, Jeet Singh, Mohinder Singh, Gurdeep Singh and Banta Singh have joined investigation in the case in hand on 11.11.2020 and recovery in the present case is yet to be effected.

7. Heard. Completion of the investigation and final disposal of the case would take a considerable time.

8. While taking into consideration the aforesaid factual position, specifically in view of the order dated 05.11.2020 passed by the undersigned, I do not find any substance in the averment made by ASI

Gurcharan Singh, specifically, in regard to the recovery, as such, the order dated 05.11.2020, vide which, applicants/accused were allowed interim anticipatory bail, is made absolute and stands confirmed. This bail application stands allowed and disposed of, accordingly. The applicants/accused shall comply with Section 438 (2) of Cr.P.C. Anything said in this order shall not affect the merits of the main trial in any manner. Police record be returned. Bail application file be consigned to record room.

Pronounced in open Court.
Dated: 12.11.2020
yashpaul

Sd/-(Sachin Sharma)
Additional Sessions Judge,
Ferozepur