

**In the Court of Rupinderjit Chahal,
Sessions Judge, Patiala
(UID NO.PB0054)**

CIS No. BA/2327/2024
CNR No. PBPT01-007051-2024
Date of Institution: 17.07.2024
Date of Decision: 19.07.2024

Gurpreet Singh, aged about 25 years, son of Raju, resident of Dheeru Di Basti-2, District Patiala. ...Applicant/accused

Versus

State of PunjabRespondent

FIR no.68 dated 5.4.2023
Under Sections 379-B/323/34 IPC
Police Station Kotwali, Patiala.

Second application for bail u/s 439 Cr.PC.

Present: Sh. Nikhil Batta, Advocate for accused/applicant.
Sh. Sumit Malhotra, Addl. Public Prosecutor for the State.

ORDER

1. This order of mine shall dispose of application for regular bail filed on behalf of accused/applicant Gurpreet Singh in case FIR No.68 dated 5.4.2023, under Sections 379-B/323/34 IPC, Police Station Kotwali, Patiala.

2. Notice of the bail application was given to the respondent-State and record from the court of Ms.Navdeep Kaur Gill, learned Chief Judicial Magistrate, Patiala as well as police, has been requisitioned.

3. The FIR in the present case was registered on the statement of Suraj son of Raju which he made on 5.4.2023 stating therein that he is earning his livelihood by running *rehri* of burger in front of shop of Happy Chicken, Sheranwala Gate, Patiala. In the midnight at about 12.30 AM, he was going towards his house. On the way, when he reached near

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office of Home Guard, Chhoti Baradari, Patiala, then three young persons came from his backside on scooty of red colour. One of those persons gave glass-bottle blow on the head of complainant and snatched the silver chain worn by him. The other assailant snatched his mobile phone make Realme of blue colour and then they tried to flee from the spot on said scooty. He however succeeded in catching the pillion rider and on inquiry he disclosed his name as Jatin Kumar son of late Raj Kumar and he also disclosed the names of his accomplices as Gurpreet Singh son of Raju, resident of house no.437, Dhuru Nagar, Patiala and Atul @ Baba son of Sethi, resident of Dhuru Nagar, Patiala. After recording statement of complainant, it was sent to the police station on the basis of which formal FIR was registered. Accused Jatin Kumar was arrested on the same day. Rough site plan was prepared. Accused Atul was arrested on 7.6.2024 and he was declared juvenile. Applicant-accused Gurpreet Singh was arrested on 13.6.2024. During interrogation he disclosed that he had thrown the snatched mobile in canal after breaking it and same could not be recovered and as such provisions of Section 201 IPC were invoked.

4. I have heard the learned counsel for the accused/applicant, learned Addl. Public Prosecutor for the State and have perused the record.

5. The learned counsel for the accused/applicant has argued that accused/applicant is innocent and has been falsely implicated in the present case and no recovery was effected from him. He has not committed any offence. He further argued that accused-applicant was arrested in this case on 13.6.2024. He further argued that presentation of challan in Court and trial of the case will take some time and no useful

purpose will be served by keeping the accused/applicant behind the bars any more. Thus, he prayed that accused/ applicant may be released on bail.

6. On the other hand, learned Addl. Public Prosecutor for the State has opposed the bail application by contending that keeping in view the gravity of the offence, the accused/applicant, does not deserve the concession of bail as such types of incidents are increasing day by day in this part of the State. He thus prayed for dismissal of the bail application.

7. I have given my thoughtful consideration to the rival contentions of both the sides. Perusal of the record reveals that accused/applicant has been arrested in this case on 13.6.2024. The snatched mobile is stated to have been destroyed. As argued by the learned counsel for the accused/applicant, the presentation of challan in Court and conclusion of the trial will take its own time. Considering the facts and circumstances of the case, without commenting on the merits of the case and the custody period of applicant-accused Gurpreet Singh, the accused/applicant Gurpreet Singh is ordered to be released on bail on furnishing bail bonds in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of learned Area/Duty Magistrate.

8. Any observation made here-in-before shall not have any bearing on the merits of the case. Record of court concerned as well as police be returned. Bail application file be consigned to the record room.

Pronounced.
19.07.2024

Sanjeev Kumar, Executive Assistant.

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