

CNR No.PBLDC1-000234-2023

CIS No:BA/17/2023

State Vs. Sonu Kumar

FIR No.021 dated 30.01.2023

under Section 379, 411 IPC

P.S.Samrala

Present: Sh. S.S.Sekhon, Advocate, counsel for accused/applicant-Sonu Kumar.

Sh. Sandeep Kumar, learned APP for the State.

1. Heard on the bail application filed on behalf of accused/applicant-Sonu Kumar.

2. Statement of ASI Baldev Singh recorded wherein he state that no bail application has been filed by accused/applicant or decided by any Court of law. Similary statement of Learned APP for the State also recorded wherein he stated that, no bail application has been filed by accused/applicant or deecided by any Court of Law.

3. Learned counsel for the accused/applicant has argued that the applicant/accused was arrested on 30.01.2023. That the applicant is still in the custody from 01.02.2022 in the present case. That the accused/applicant has been falsely implicated in the present case and has committed no offence. He further argued that accused/applicant is no more required for custodial interrogation. Learned counsel for the accused/applicant also contended that accused/applicant undertakes to abide by the terms and conditions to be imposed in case of grant of bail.

4. On the other hand, learned APP for the State has opposed the present bail application on the ground that there are serious allegation against the accused/applicant and there is possibility of tempering of evidence by the accused/applicant in case he released on bail. Therefore,

learned APP for the State has prayed that present bail application be dismissed.

5. The case of the prosecution is that the present complaint was registered on the statement of Jagdev Singh wherein he stated that his wife Inderjit Kaur is the current Sarpanch. On the night of 29.01.2023 some unknown persons stole two iron pipes from their village. He along with Gurjant Singh-Panchayat Member are engaged to search for it. They came to know that iron pipes were stolen by Shamsher Singh, Harpreet Singh, Avtar Singh and sold at the shop of Sonu Kumar and Monu Kumar.

6. Perusal of the file/papers shows that accused/applicant was in judicial custody in the present FIR. No further recovery is to be made from the accused/applicant. Accused has already been remanded to judicial custody in the present case and no fruitful purpose would be served by detaining the accused/applicant behind the bars for an indefinite period as it would put extra burden on the State Exchequer, especially when the presentation of challan and conclusion of trial is likely to take sufficient long time. Hence, the accused/applicant is admitted to bail in the present case, subject to his furnishing bail bonds in the sum of Rs.70,000/- with one surety in the like amount. Bail bonds and surety bonds of accused/applicant furnished which are accepted and attested. Release order be issued forthwith. Ahlmad is directed to attach the papers with the FIR/remand papers/challan.

Pronounced in open Court on
08th February, 2023
(Harmanjit Singh, Steno-II)

(Megha Dhaliwal) PCS
Sub Divisional Judicial Magistrate
Samrala (UID No. PB 0357)