

**IN THE COURT OF PARMINDER SINGH RAI
ADDITIONAL SESSIONS JUDGE, GURDASPUR**

Bail Appl. No. 484/29.09.2022
CIS No. BA/1430/2023
CNR No. PBGD01-003506-2023
Date of Order: 08/05/2023

Lovepreet Singh @ Amandeep Singh @ Kato @Labha s/o Hardev
Singh, r/o Village Nandianwali, Tehsil Batala, District Gurdaspur.

.....Petitioner

Versus

State

.....Respondent.

FIR No.10 Dated 02/02/2022
U/Ss 379-B (2)/411 IPC
Police Station:- Ghanie Ke Banger

Application for bail under Section 439 Cr.P.C.

Present: Shri Rahul Puri, Advocate, counsel for
petitioner.
Shri Kiran Kumar, Ld. Additional P. P for State

ORDER

Present petition has been filed by petitioner seeking regular bail under Section 439 of Cr.P.C. for the alleged commission of offences as mentioned above.

2. Upon notice, learned Additional P.P put in appearance on behalf of respondent-State and contested the bail application. Police record was also requisitioned.

3. It is submitted by learned counsel for petitioner that petitioner is innocent and he has been falsely implicated in this case. He has not committed any offence. Petitioner is in custody since

08.06.2022. Conclusion of investigation and presentation of challan shall take sufficient long time and no purpose would be served by keeping the petitioner behind the bars for indefinite period, so, he may be admitted to regular bail.

4. On the other hand, learned Addl.P. P. submitted that the allegations against the petitioner are serious in nature. If the petitioner is released on bail, he can induce or threaten the prosecution witnesses. At the end, he prayed for dismissal of bail application.

5. I have considered the contentions of learned counsel for petitioner as well as Ld. Addl. Public Prosecutor and also perused the record.

6. As per the contents of the FIR, so registered on the statement of complainant namely Gurjant Singh son of Satnam Singh, resident of Kastiwal, in which, alleging that he is running a shop namely Gurjant Telecom at bus stand Aliwal. On 12.12.2021, at about 08:30PM, he was going to his house, after closing his shop on his motor cycle mark Hero Delux bearing Registration no. PB-06-AT-1759. When, he reached near Telephone tower, G.T. road, two unknown persons having muffled faces came on splendor motor-cycle and stopped him. They showed him their sharp edged weapons and snatched his mobile phone marka Honor. Thereafter, they ran away from the spot. On the basis of statement of complainant, FIR

U/s 379-B, (2) of Indian Penal Code, 1860 was registered. Investigation was ensued by SI Racchpal Singh. During investigation, on 03.02.2022, he received a phone call from ASI Nirmal Singh alleging that he has arrested accused Harpal Singh alias Kala in FIR No. 7 dated 22.01.2022 registered at police station Qila Lal Singh and said Harpal Singh suffered a disclosure statement alleging that on 12.12.2021 he along with his co-accused Amandeep Singh alias Kato snatched one mobile phone. Thereafter, both the accused were arrayed in the present case vide rapat no. 15 dated 03.02.2022. Accused Harpal Singh was arrested on 04.04.2022 and accused Amandeep Singh alias Kato was arrested on 10.06.2022.

7. Challan had already been presented. Accused-applicant was not named in the FIR. He has been simply nominated in the present case on the basis of disclosure statement of co-accused only and also on the basis of his own confessional statement. He has been coming in custody since long i.e. 08.06.2022. Conclusion of trial shall take sufficient long time and no purpose would be served by keeping the petitioner behind the bars for indefinite period. As such, present application is hereby allowed and petitioner is admitted to regular bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount, in the Court of learned Illaqa/trial/Duty Magistrate to his/her satisfaction and subject to the following conditions:-

- i. That he will not hinder the ongoing investigation;
- ii. That he will not leave the country without prior permission of the Court;
- iii. That he will not make any threat, promise or inducement to any person conversant with the facts of the case to dissuade him/her from disclosing the truth to the Court or police;

Police record be returned. Record of present bail

application be attached with main file.

Pronounced
Dated:08/05/2023
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Addl. Sessions Judge,
Gurdaspur

Present: Shri Rahul Puri, Advocate, counsel for petitioner.
Shri Kiran Kumar, Ld. Additional P. P for State

Police record produced. Arguments heard. Vide my separate detailed order of even date, present bail application has been allowed and petitioner has been admitted to regular bail on his furnishing bail bond in the sum of Rs.50,000/- with one surety in the like amount in the Court of learned Illaqa/trial/Duty Magistrate, subject to the conditions referred therein. Police record be returned. Record of present bail application be attached with main file.

Pronounced
Dated:08/05/2023
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Addl. Sessions Judge,
Gurdaspur