

In the court of Sh. Amar Paul, Addl. Sessions Judge, Ludhiana.

BA 14066/2019

CNR No.PBLD010382152019

Date of decision: **19.12.2019**

1.Vishal son of Tarsem Lal resident of H.No.81, Indra Colony Chungi No.7 Ferozepur Cantt.

2. Satnam Singh son of Akbar Singh resident of Chamali Jadid P.S.Mullanwala District Ferozepur.

...Applicant-Accused

Versus

State of Punjab

FIR No.305 dated 20.9.2019

Under Sections: 379 IPC

Police station: Div.No.8, Ludhiana.

Bail application under Section 439 Cr.P.C.

Present: Sh. Hardyal Singh Adv. Counsel for applicants.

Sh. Rajbir Singh Chahal Addl. PP for the State.

ORDER

1. This order shall dispose off an application under Section 439 of Code of Criminal Procedure filed by the applicants-accused.

2. Notice of the bail application was given to the learned Addl. PP for the state. Record received.

3. I have heard the learned counsel for the applicants-accused, learned Addl. PP for the state and perused the record.

4. After hearing the learned counsel for the applicants, learned Addl. PP for the State and going through the material on record, it has been found that challan in this case has been presented against the applicants in which prosecution has claimed that present FIR has been registered on 20.9.2019 on the statement of Rajeev Bagga on the contents that on 18.9.2019 at about 8 P.M.,he parked his car PB10DS-3080 in the area of Guru Nanak Pura Fountain Park Ludhiana, and on 19.9.2019 at about 7 A.M., he came to know that his car was found missing from that place and theft was committed by unknown person. Thereafter on 5.10.2019 police received information from the police station District

Ferozepur that in case FIR No.241/2019 u/s 420, 379, 411 IPC P.S.City
Ferozepur, applicants have been arrested and from them one Indigo car of
the complainant has been recovered and accordingly applicants have been
nominated in this case and arrested through production warrant in this
case on 18.10.2019. It is no injury case. Now nothing further is required
from the applicants. Hence keeping in view the above facts further
detention of the applicants without any reason would amount to the
burden of state exchequer and no further purpose will be served by
detaining the applicants behind the bars for long. This court is of the
opinion role of the applicants shall be decided during the trial, which will
take a long time. There is no allegation from the learned Addl. PP for the
State about the tampering with the prosecution witnesses and flee from
justice by the applicants, if they are released on bail. Keeping in view the
above reasons and without commenting on the merits of the case, the bail
application of the applicants is accepted. The applicants are ordered to be
released on bail on their furnishing bail bonds in the sum of Rs.50,000/-
each with one surety in the like amount to the satisfaction of learned
Illaqa/Duty Magistrate. The applicants-accused are directed not to leave
India without the prior permission of the trial Court, will not tamper with
the prosecution witnesses and also will appear before the trial Court on
each and every date of hearing. Lower court record alongwith copy of this
order be sent back. File be consigned to the record room.

Komal Preet Kaur
Stenographer-I

Amar Paul
UID-PB0450
Addl.Sessions Judge,
Ludhiana.

Pronounced in open Court
Dated: 19.12.2019

Present: Sh. Hardyal Singh Adv. Counsel for applicants
Sh. Rajbir Singh Chahal Addl. PP for the State.

Heard. Vide my separate detailed order of even date,
the present bail application is allowed. File be consigned to the record
room.

Komal Preet Kaur
Stenographer-I

Amar Paul
UID-PB0450
Addl. Sessions Judge,
Ludhiana.

Pronounced in open Court
Dated: 19.12.2019