

**In the Court of Dharminder Paul Singla, Addl. Sessions Judge,
Jalandhar [UID No.PB0083]**

CIS Case No.	BA-1422/2023
CNR No.	PBJL01-003117-2023
Date of Institution	06.03.2023
Date of Decision	17.03.2023

Ajit Singh alias Mintu Kabaria alias Pehalwan, aged 46 years son of Sh. Narayan Singh, resident of House No.1B, New Santokh Pura, Jalandhar-1, Jalandhar.

.....Accused/applicant

Versus

State of Punjab.

.....Respondent.

FIR No.43, dated 11.03.2021
U/Sec. 381 of IPC,
P.S. Rama Mandi, Jalandhar.

First Bail Application under Section 438 Cr.P.C.

Present: Sh. Rajiv Kumar, Advocate, for the applicant/accused.
Sh. Gurpreet Singh, Additional Public Prosecutor for the State.

ORDER

1. This order of mine shall dispose of first application for anticipatory bail under Section 438 Cr.P.C moved by accused/applicant **Ajit Singh @ Mintu Kabaria @ Pehalwan** in case FIR No.43, dated 11.03.2021, U/Sec. 381 of IPC, P.S. Rama Mandi, Jalandhar.

2. Perusal of the record reveal the fact that complainant Ritu

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Sharma wife of late Jatinder Sharma has got registered the case with the allegations that her husband has expired four years back, whereas she is in possession of one Bolero vehicle bearing No.PB-08-EB-5137 and the vehicle was deployed for carrying parcels of Blue Dart Company. Complainant employed one Hardeep Singh as driver over the said vehicle, which was employed about a month back. On 07.02.2021 at 11:00 a.m driver Hardeep Singh called the complainant that he want to clean the vehicle and complainant permitted him to take away the vehicle, but neither the driver has returned and nor vehicle, whereas his phone was switched off. Complainant further stated that she has searched for him at her own level and prayed for action on these grounds. On the basis of these allegations, lateron accused Hardeep Singh was arrested, whereas it has come on record in the disclosure statement that one Shamsheer Singh and accused/applicant Ajit Singh were involved in the alleged occurrence.

3. Learned counsel for the accused/applicant pressed for anticipatory bail on the ground that the present accused/applicant has been falsely implicated by the police and nothing is required to be recovered from him. He further contended that the police is unnecessarily raiding him though he is ready to join the investigation and prayed for protection and bail.

4. Learned Additional Public Prosecutor refuted the above contentions on the ground that the vehicle is required to be recovered, therefore, custodial interrogation of the accused/applicant is required and

prayed for dismissal of the bail application on these grounds.

5. I have heard the learned counsel for the accused/applicant, learned Additional Public Prosecutor for the State and have gone through the police record.

6. After hearing their respective submissions and perusal of record it has revealed that complainant being widow lady was having only car, which was deployed by her for carrying the parcels of Blue Dart company. Further she has employed Hardeep Singh as driver, but he has committed theft of vehicle. Furthermore, presently the vehicle in question is in possession of accused/applicant Ajit Singh as per the alleged disclosure statement of accused Hardeep Singh. As such, for recovery of vehicle, custodial interrogation of the accused/applicant is required to the police. Keeping in view of these facts, circumstances, gravity of offence and seriousness of allegations no exceptional circumstances are found in favour of accused/applicant. Consequently, the present application for anticipatory bail moved by accused/applicant **Ajit Singh @ Mintu Kabaria** is hereby dismissed. However, any observation given in this order shall not effect on main case on merits. Police record be returned. Bail application file be consigned to the record room after due compilation.

Pronounced:

Dated:17.03.2023

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Addl. Sessions Judge,
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rajesh**

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1422-- Ajit Singh vs. State of Punjab

Present: Sh. Rajiv Kumar, Advocate, for the applicant/accused.
Sh. Gurpreet Singh, Additional Public Prosecutor for the State.

Police record received. Arguments on bail application heard.

Vide my separate detailed order of even date, instant bail application has been dismissed. Police record be returned and bail application file be consigned to the record room after due compilation.

Pronounced:

Dated:17.03.2023

(Dharminder Paul Singla),
Addl. Sessions Judge,
Jalandhar.[UID No. PB0083]

rajesh**