

**In the Court of Sandeep Singh Bajwa, Addl. Sessions Judge,
Amritsar.**

**B.A. no. 1467 of 2020.
CNR No. : PBAS010042092020.
Date of Institution : 9.4.2020.
Date of order : 20.4.2020.**

S T A T E

Versus.

**Tarsem Singh @ Sema son of Tehal Singh, R/o Khurmanian, Village
Khasa, Gharinda, Amritsar Rural.**

.....Accused.

**FIR no. 200/2019.
U/s 457/380/34 of IPC.
Police Station : Gharinda, Amritsar.**

Ist Bail application u/s 439 Cr.P.C.

**Present :- Mr. Harpreet Kaur Grover, Adv. Counsel for the
applicant/accused.
Ms. Rittu Kumar, Additional PP for the State.**

O R D E R

1. This order shall dispose off an application for bail moved on
behalf of abovesaid applicant/accused Tarsem Singh @ Sema under

section 439 Cr.P.C for regular bail in FIR No. 200/21.12.2019 u/s 457/380/34 of IPC, P.S. Gharinda, Amritsar.

2. Concise facts necessary for the disposal of the instant bail application are that the present FIR was got registered by complainant Amarjit Singh that he has gold smith shop at Adda Khurmania and as usual on 20.12.2019 at about 6.00 p.m., he had gone to his house after closing the shop and on 21.12.2010, at 3.00 p.m. he received a phone call from Gurlal Singh son of Sawinder Singh, R/o Khasa Bazar that the shutter and locks of their shop has been broken and shutter is lifted towards the upper side. He went inside his shop and on checking, it was found that two gold rings weighing 2 ½ gram each, six Karra of silver weighing 70 gram each, 8 pairs of anklet weighing 560 gram and cash Rs. 36,000/- were stolen. The theft was also committed in the nearby shops.

3. Notice of the bail application was given to state and police record was called.

4. Learned counsel for the applicant argued that applicant/accused is innocent and has been falsely implicated in this

case. He is in custody since 24.12.2019. Nothing has been recovered from him. The alleged recovery is planted one. No useful purpose would be served to keep the applicant behind the bar. He undertakes to remain bound by the terms and conditions of bail. Thereafter, he has prayed for grant of regular bail.

5. Per contra Ld. Addl. PP for the state argued on the score that there are grave and serious allegations against the applicant/accused and co-accused, therefore, he does not deserve any leniency of regular bail at this stage and thus she prayed for dismissal of the application.

6. I have heard the rival submissions besides perusing the record.

7. In the present case, it has been mainly alleged by the complainant Amarjit Singh that on the intervening night of 20/21.12.2019, a theft of two gold rings weighing 2 ½ gram each, six Karra of silver weighing 70 gram each, 8 pairs of anklet weighing 560 gram and cash Rs. 36,000/- has been committed in his shop. As per record, the accused in this case were nominated on the basis of CCTV

Footage. The applicant-accused was arrested in this case on 25.1.2020 and since then, he is in custody. Nothing is to be recovered from his possession. The co-accused has already been released on bail in this case. The allegations against the applicant-accused are required to be proved on merits and as such no useful purpose would be served by further detaining the applicant/accused behind the bars. Therefore, the accused/applicant is ordered to be released on bail on furnishing bail bonds subject to the satisfaction of Ld. Illaqa Magistrate/Duty Magistrate subject to the conditions as envisaged u/s 438 (2) of Cr.P.C. Copy of order be sent to the ld. Trial court. Police record be returned and file be consigned to the record room.

Pronounced in open court.

Dated:- 20.4.2020.

***(Sandeep Singh Bajwa),
Additional Sessions Judge,
Amritsar (D)***

Karamjeet Kaur,
Stenographer Grade-II.