

IN THE COURT OF AMRINDER SINGH GREWAL,
(Unique Identification Code PB 0037)
SESSIONS JUDGE, KAPURTHALA

CNR No. PBKP010039912021



Case No. BA/1590/2021

Presented on : 10-08-2021

Registered on : 11-08-2021

Decided on : 24-08-2021

Nishan Singh, aged about 31 years, son of Dalbir Singh, r/o village Palla, PS Mehta, District Amritsar.

-----Applicant

Versus

State of Punjab.

----- Respondent

FIR No.80 Dated 10.12.2016
Under Section: 379-B/34 IPC,
Police Station: Dhilwan, District Kapurthala.

Bail Application under Section 439 Cr.P.C.

Present: Sh. David John, Advocate, Counsel for the applicant
(through **video conferencing**).
Sh. Manoj Kumar. Ld. Addl. PP for the State (through **video conferencing**).

ORDER:

1. Applicant Nishan Singh son of Dalbir Singh, has filed the bail application under Section 439 Cr.P.C. and notice of the same was given to the State.
2. Heard. The record reveals that FIR No.80 dated 10.12.2016, under Section 379-B/34 of the Indian Penal Code, was registered at Police

Station Dhilwan, District Kapurthala, on the basis of statement of complainant Swaranjit Kaur wife of Joginder Singh, on the allegations that on 09.12.2016 at about 2.30 P.M, the present applicant & others in the area near Bus Adda Miani Bakkarpur, P.S. Dhilwan, snatched one cream colour purse containing Rs.850/- from the complainant and also restrained her by putting her in fear of hurt. Further, record reveals that applicant was released on bail and even challan was presented before my Ld. Predecessor, and accordingly the present applicant alongwith others were charge sheeted, vide order dated 08.12.2017 and the case was fixed for prosecution evidence. It was on 17.07.2019, the present applicant Nishan Sinbgh absented without any intimation and as such, his bail order was cancelled and his bail bonds and surety bonds were forfeited to the State and he was summoned through arrest warrant. When the present applicant could not be arrested, then my Ld. Predecessor issued proclamation against the present applicant under section 82 Cr.P.C, vide order dated 21.09.2019 and accordingly, the present applicant was declared proclaimed offender, vide order 20.11.2019. Further copy of judgment dated 17.01.2020 passed by my Ld. Predecessor, shows that prosecution was only able to prove its case against accused Jugraj Singh @ Joga, under section 379 IPC only and accordingly he was held guilty under section 379 IPC and ultimately my Ld. Predecessor had taken the view that non applicant/ accused Jugraj Singh @ Joga is sentenced to imprisonment for a period which he has already undergone during the investigation or during the trial of this case. The present applicant was arrested on 24.07.2021.

3. So, since the applicant is behind the bars for the last one month,

as such, this Court is of the view that no useful purpose would be served by detaining the applicant behind the bars for an indefinite period as there is every likelihood that it will take sufficient time in the conclusion of the trial. Accordingly, the bail application is allowed and applicant/ accused Nishan Singh son of Dalbir Singh is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety of the like amount, to the satisfaction of this Court. Bail bonds not furnished. The file of bail application be tagged with the main case, pending in this Court.

Pronounced.
Dated:24.08.2021
Raman Kumar
Stenographer G-I

(Amrinder Singh Grewal)
Sessions Judge, Kapurthala