

**In the Court of Sh. Daljit Singh Ralhan, Additional Sessions Judge,
Amritsar. (UID No. PB0198)**

CIS No.BA/1575/2021

Date of Institution : 23.03.2021

Date of order: 16.04.2021

State

Versus

Sandeep Singh @ Sunny Bharkila son of Lakhwinder Singh, resident of
Nooreshah Phatak, Amritsar.

----- Applicant-accused.

FIR No. 35 dated 30.01.2020

Under Sections: 379-B(2), 148, 149 IPC

Police Station: Sadar, Amritsar.

Ist application for regular bail u/s 439 Cr.P.C.

Present:- Sh.Sukhman Singh Gill Advocate for applicant-accused.

Ms. Anju Sharma, Addl.PP for the State.

ORDER:

This order of mine will dispose of an application for regular bail moved by accused-applicant Sandeep Singh @ Sunny Bharkila in case bearing FIR No. 35 dated 30.01.2020, Under Sections: 379-B(2), 148, 149 IPC, Police Station: Sadar, Amritsar.

2. Perusal of the investigation record reveals the fact that case was registered on the basis of statement of Lakshay Kumar Yadav on the averments that he is working in Ectopas Tek Salooshan, 'C' Block, Ranjit Avenue. After duty hours, he was going to his house i-20 white colour, bearing registration no. PB02-DK-7696. When he reached near Festanera Resort, which is behind petrol pump, then he found one dog in injured

condition. He stopped the Car and removed the dog on one side and sat down in his Car. When he was about to start the same, then two clean shaven youths came from behind having pistols in their hand and dragged him out. Thereafter they took away his Car towards petrol pump, after taking U-turn. Thereafter accused Sandeep Singh alias Bharkila was arrested and on his disclosure statement that he snatched the Car bearing no. PB02-DK-7696 and sold the same to applicant Rajbir Singh by him for Rs.70,000/-. Thereafter Rajbir Singh applicant was arrested, who has disclosed that he has sold the same to one Sunny. Meaning thereby, applicant was not involved in the snatching of the Car. The Car was only sold to him, which he further sold the same to one Sunny.

3. Ld. Counsel for accused-applicant pressed for grant of bail on the ground that accused-applicant has not committed any offence. He has been falsely implicated in this case. Accused-applicant is in custody since 25.07.2020. Challan has already been presented and conclusion of trial will take considerable time. No useful purpose would be served by detaining the accused-applicant in custody.

4. On the other hand, ld. Addl. PP has refuted above contentions on the ground that accused-applicant has committed heinous offence. Ld. Addl. PP has further contended that in case accused is allowed regular bail he will tamper with the prosecution evidence. Prayer for dismissal of the bail application has been made.

5. Perusal of the record shows that the FIR was registered against the known persons and the present accused-applicant has been

nominated on the basis of disclosure statement. No recovery has been effected from the accused-applicant . Accused-applicant has been arrested on 25.07.2020 and since then he is in judicial custody. Challan has already been presented. Conclusion of trial will take considerable time. No useful purpose would be served by detaining the accused-applicant in custody for indefinite period. Co-accused Charanjit Singh & Dilbag Singh have already been released on bail.

6. In the light of aforesaid reasons, taking into consideration the totality of the facts and circumstances, the present bail application is allowed. Accused-applicant Sandeep Singh @ Sunny Bharkila is ordered to be released on bail on furnishing personal bonds and surety bonds, subject to following conditions:

- i) that the applicant shall make himself available for interrogation by a police officer as and when required.
- ii) that the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the accusations against him so as to dissuade him from disclosing such facts to the court or to any police officer.
- iii) that the applicant shall not leave India without the previous due permission of the court.

Record of bail application be attached with the main file.

Pronounced.
Dated: 16.04.2021
Sarishty Stenographer Gr.III

(Daljit Singh Ralhan)
Addl. Sessions Judge, Amritsar
(UID No. PB0198)