

IN THE COURT OF MAYANK MARWAHA, PCS, JUDICIAL
MAGISTRATE FIRST CLASS, RAJPURA.

Case Type	BA
Filing No.	2424/2024 Filing Date : 25.07.2024
Registration No.	160/2024 Registration Date: 26.07.2024
CNR No.	PBPTA1-002429-2024
Date of Decision	30.07.2024

Ajay Kumar son of Rajesh Kumar resident of Jagroan Pull, Near Durga Mata Mandir, Ludhiana.

Versus

State of Punjab

FIR No.65 dated 21.06.2024
Under Sections 379 and 411 IPC
Police Station, Shambhu

Present: Sh. Parteek Kumar, Advocate counsel for applicant/accused.
Sh. Jitender Singh Chahal, Learned APP for the State.

ORDER:

1. Heard on the first bail application filed by counsel for applicant/accused Ajay Kumar in above mentioned FIR.
2. Learned counsel for applicant/accused stated that false and fabricated FIR has been registered against the applicant/accused. Applicant/accused has been falsely implicated in the present case. It is stated that the applicant/accused is in custody since the date of his arrest and and recovery in question has already been effected from the possession of the accused as such, no useful purpose would be served by keeping the applicant/accused behind bars. It is further submitted that applicant/accused will abide by all the terms and conditions

imposed by this Hon'ble Court. It is further submitted that applicant/accused is ready to furnish the bail bonds/surety bonds to the entire satisfaction of this Hon'ble Court. On these basis prayer for releasing the applicant/accused on bail has been made.

3. Learned APP for the State has opposed the bail application by filing a written reply. It has been stated that during the investigation, accused was arrested on 21.06.2024 and 05 stolen mobile phones were recovered from his possession. It is stated that applicant/accused is very clever and sharp minded and if he is released on bail, he will harass the witnesses and can hamper the trial, as such he does not deserves to be released on bail. Hence, he prayed for dismissal of the bail application.
4. Brief facts of the present case are that on 21.06.2024, ASI Gurmukh Singh along with police party was on patrolling duty near Banur Tepla Road Main Road, Bus Stand Tepla, on receiving secret information, he nabbed accused Ajay Kumar and recovered 05 mobile phones from his possession.
5. I have heard the Learned APP for the State, as well as counsel for the applicant/accused on the bail application for grant of bail to the applicant/accused.
6. After hearing the contentions of Learned APP for State and Learned counsel for applicant/accused and after going through the case file carefully, this Court is of the considered opinion that no recovery is to be effected from applicant/accused in the present case, who has been

confined in custody since the date of his arrest and trial is likely to take time. Recovery has already been effected. As such, no useful purpose would be served by keeping the applicant/ accused behind the bars for further period. Rather, it would be an extra burden on the state exchequers. As such, the bail application is allowed and the applicant/accused is ordered to be released on bail on furnishing bail bonds in the sum of Rs.30,000/- with one surety in the like amount.

Bail Bonds/Surety Bonds not furnished. Bail application be attached with the main file.

7. A soft copy of this order be sent to the Superintendent, Central Jail, Patiala through E-Mail immediately in compliance of the directions passed by Hon'ble Supreme Court of India in Suo Moto Writ Petition (Criminal) No.4/2021 dated 31.01.2023.

Pronounced in open Court:
30.07.2024

Mayank Marwaha, PCS
Judicial Magistrate First Class,
Rajpura/UID-PB00531

Amit
Stenographer-II