

PBBT010042562021



Presented on : 28-06-2021
Registered on : 28-06-2021
Decided on : 12-07-2021
Duration : 0 years, 0 months, 14 days

**IN THE COURT OF SH. HIRA SINGH GILL,
ADDITIONAL SESSIONS JUDGE, BATHINDA
(UID PB-0153)**

**CNR No.PBBT01-004256-2021.
CIS BA-1572 of 2021
Decided on 12.07.2021**

State versus Gurdeep Singh aged about 27/28 years son of Gurjant
Singh, resident of Village Chathewala, Tehsil
Talwandi Sabo, District Bathinda.

.....Applicant-accused.

***FIR No.105 dated 11.06.2021
under Section 457/379/379-B/411 of Indian Penal Code
Police Station Talwandi Sabo.***

***Bail Application under Section 439 of Code of Criminal
Procedure.***

* * *

Present: Sh.H.S.Khara, Advocate, for applicant.
Ms. Harpreet Kaur Sidhu, Addl. PP for the state.

ORDER

Bail application of applicant/accused, under section 439Cr.P.C.
is considered.

2. Applicant/accused seeking regular bail in case FIR No.105
dated 11.06.2021, under Section 457,379,379-B,411 of Indian Penal Code,

Hira Singh Gill
Additional Sessions Judge PB-0153

registered at Police Station Talwandi Sabo

3. The case of the prosecution, in brief, is that the FIR was registered on the basis of secret information that the applicant-accused alongwith co-accused, have constituted a group and they commit theft in the houses, shops and used to snatch the mobile phones from the passer-by, by showing them deadly weapons. On 11.06.2021, they were seen, twirling on a motorcycle armed with kirchs and rods, if they will be apprehended, then deadly weapons and other stolen articles can be recovered. The applicant-accused was arrested on 11.06.2021.

4. Notice of bail application was given to the State of Punjab through learned Additional Public Prosecutor for the State. Police record was requisitioned and received.

5. Case of the applicant-accused is that the applicant-accused was falsely implicated. Applicant-accused did not commit the alleged offence. The alleged recovery has already been effected. The applicant-accused is in custody since 11.06.2021. The presentation of challan and completion of its trial will take long time. The accused may be granted regular bail.

6. While, on the other hand, the learned Additional Public Prosecutor for the State has argued that the offence is serious one. The investigating is still pending, therefore, a case for granting bail to the accused is not made out.

7. I have considered the rival submissions.

8. In this case, the applicant-accused is in custody since 11.06.2021. The recovery has already been effected. The completion of

investigation, presentation of challan and completion of its trial will take long time especially due to out break of Corona Pandemic. It is also not the case of the prosecution that if accused/applicant is released on bail, he would influence the prosecution witnesses or flee the trial. In view of these factual circumstances, the bail application of accused/applicant succeeds and he is ordered to be released on bail on furnishing bail bonds in the sum of Rs.70,000/-with one local surety in the like amount to the satisfaction of Illaqa Magistrate/Duty Magistrate, subject to the following conditions:-

1. That accused/applicant will not tamper with the prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any of the person acquainted with the facts of the case, dissuading him from disclosing the same to the court/ investigating agency; and
2. That accused/applicant will not leave the limits of India without prior permission of the court.
3. That he will appear in the trial court on each and every date of hearing.

Copy of this order be also sent to the Illaqa Magistrate for compliance, who is required to send the bonds after attestation, to this Court.

Bail application file be consigned to the Judicial Record Room, Bathinda.

Pronounced in open Court.

Dated: 12th July, 2021

(Nirmal Singh, St.Gr.I)

**(Hira Singh Gill),
Addl. Sessions Judge,
Bathinda
(UIDPB-0153)**