

In the court of Shri Kuljit Pal Singh, Addl. Sessions Judge, Jalandhar

BA No.1478/2018
CNR NO: PBJL010047192018
Date of order: 10.4.2018

Sunny Baba aged about 25 years son of Ramesh Kumar R/o Village Jagatpura Mohalla Nahar Kanda Panjdhera Tehsil Phillaur District Jalandhar.

....Petitioner.

Vs.

State.

FIR NO. 398 dated 16.11.2017
U/s 379-B IPC
PS Phillaur Jalandhar.

First application for bail under section 439 Cr.Pc

Order:

Present:- Sh. Anupam Pathania Adv for the applicant/ accused.
Sh. Sachin Azad Addl. PP for the state.

1. This order of mine will dispose of a bail application under section 439 Cr.pc filed by the applicant/accused.
2. FIR in this case has been registered as per the statement of the complainant Surinder Kumar Sharma that he is working as Superintendent in Ram Garhia B.ED college Phagwara . On 7.11.2017, he was going to his house on foot from Dana Mandi Phillaur when he reached near the Nirmal Press Report. It was about 7 PM and there was fog , three clean shaven persons came behind on foot and one of them hold his mouth and snatched his mobile phone . Another person gave a

dattar blow on his head and snatched Rs. 17,000/-lying in the right pocket of his pant . He was admitted in the hospital . Thereafter the FIR has been registered . After that accused were arrested in this case.

3. Notice of the application was issued to the respondent/State. Sh. Sachin Azad, Addl. PP for the state is present and opposed the same. Police record was also called , which is received and perused.

4. Ld counsel for the accused argued that applicant was arrested in FIR no. 403 dated 20.11.2017 under section 22 of NDPS Act and after that abovenoted case has been planted upon him. The applicant/accused is in custody since 21.11.2017. Nothing has been recovered from him. He is innocent and falsely implicated in this case. Hence, prayed for grant of regular bail to the applicant/accused.

5. **I have heard ld. counsel for applicant/accused, ld. APP for the state with their able assistance and perused the record.**

6. As the recovery of mobile and dattar had already been effected. The accused is in custody since 21.11.2017. Challan has already been presented in the court. Conclusion of trial will take considerable time. In such circumstances, no useful purpose will be served by detaining him behind the bars for an indefinite period.

7. Keeping in view the above facts and circumstances of the present case, the applicant/accused is found entitled for regular bail in the above noted case, his bail application is allowed. He be released on bail, on his furnishing personal bonds in the sum of Rs.50,000/-with one surety of the like amount to the satisfaction of the Trial court/ Duty Magistrate .

8. File be consigned to the Record Room.

*Note: Certified that all the two pages of
this order are signed by me and have been
dictated and typed directly on computer.*

Pronounced
10.4.2018
*Dimple Khosla**

(Kuljit Pal Singh)
Addl. Sessions Judge,
Jalandhar.

Present:- Sh.Anupam Pathania Adv for the applicant/ accused.
Sh. Sachin Azad Addl. PP for the state.

Arguments heard. Vide my separate detailed order of even date, application for bail of accused has been allowed. Papers be consigned to the Record Room.

Pronounced
10.4.2018
*Dimple Khosla**

(Kuljit Pal Singh)
Addl. Sessions Judge,
Jalandhar.