

PBBT010042942021



Presented on : 30-06-2021
Registered on : 30-06-2021
Decided on : 07-07-2021
Duration : 0 years, 0 months, 7 days

CNRPBBT01-004294-2021

CIS BA 1608 of 2021

State versus

1. Soma Kaur @ Harjinder Kaur, aged about 45 years, wife of Rajpal Singh, resident of Ward No.21, Ram Nagar, Maur Basti, Maur, City Sunam, District Sangrur.
2. Karmo Kaur @ Preeto, aged about 62 years, wife of Ruldu Singh @ Surjit Singh, resident of Jakhal Road, new Truck Union Sunam, District Sangrur.

.....Applicants-accused.

***FIR No.104 dated 11.6.2021,
under Section 379-B of Indian Penal Code,
Police Station Talwandi Sabo.***

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

Present: Sh.R.K.Duggal, Advocate, for applicants-accused.
Sh.Daya Jit Sra, Addl.P.P.for State.

ORDER

Bail application of applicants/accused under Section 439 Cr.P.C. is considered.

2. Applicants/accused have filed the instant bail application seeking regular bail in case FIR No.104 dated 11.6.2021,under

Hira Singh Gill
Additional Sessions Judge PB-0153

Section 379-B of Indian Penal Code, Police Station Talwandi Sabo.

3. The crux of the case of the prosecution is that FIR was registered on the basis of secret information that the applicant-accused is habitual of committing snatching and if raid is conducted, snatched articles would be recovered from them. Subsequently, the raid was conducted and mobile phones were recovered from both the accused persons.

4. Case of the applicants-accused is that the applicants-accused have been falsely implicated. The applicants-accused had come at Talwandi Sabo for worshipping at holly Gurudwara Sahib, where they were arrested and have been falsely implicated in this case. Nothing is to be recovered from them. A prayer has been made for grant of regular bail to the applicants-accused.

5. On the other hand, the learned Additional Public Prosecutor for the State has strongly opposed the bail application on the ground that the offence in question is serious one. The applicants-accused are habitual of committing offence of snatching near the Gurudwara Sahib and they are not entitled for concession of regular bail.

6. I have considered the rival submissions.

7. There is no complaint from whom any snatching has been committed. The ownership of the mobile has also not been established to show that it was a stolen property. The presentation of challan and completion of its trial would take time especially due to

Corona Pandemic. No useful purpose would be served by detaining the accused for an indefinite period. It is also not the case of the prosecution that if accused/applicants are released on bail, they would influence the prosecution witnesses or flee the trial. In view of these factual circumstances, the bail application of accused/applicants succeeds and they are ordered to be released on bail on furnishing bail bonds in the sum of ₹50,000/-with one local surety in the like amount to the satisfaction of Illaqa Magistrate/Duty Magistrate, subject to the following conditions:-

1. That accused/applicants 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/applicants will not leave the limits of India without prior permission of the court.
3. That they will appear in the trial court on each and every date of hearing.

Copy of this order be sent to the Illaqa/Duty Magistrate for compliance. Bail application file be consigned to the Judicial Record Room, Bathinda.

Pronounced in open Court.
Dated: 7th July, 2021

(Suman Bala, St.Gr.II)

(Hira Singh Gill),
Additional Sessions Judge,
Bathinda/7.7.2021
(UIDPB-0153)

Hira Singh Gill
Additional Sessions Judge PB-0153