

Gurcharan Singh alias Goggu vs. State
B.A. CIS no.1621 of 2021
CNR No. PBPT01-005138-2021

FIR no. 74 of 2019
Under Sections 379-B, 411, 34 IPC
PS City Samana

Bail Application under Section 439 Cr.P.C.

Present: Sh. Shashi Pal Verma, Advocate, counsel for the accused-
applicant through Whatsapp Video Call
Sh. Charanijt Parashar, Addl. PP for the State

ORDER

1. Applicant-accused has sought regular bail in FIR no. 74 of 2019 under Sections 379-B, 411, 34 IPC, PS City Samana.
2. Notice was given to the State through Addl.PP who appeared and contested the bail application. Record of main trial received.
3. As per prosecution version, on 3.5.2019 in the area of Anand Colony, Samana applicant-accused alongwith co-accused Surinderpal Singh committed snatching of gold ear rings from complainant Shanti Devi which were recovered from his possession on 7.6.2019 and FIR was registered. Applicant was arrested and he was released on bail. However, during trial applicant became absent from the Court proceedings and was declared Proclaimed Offender on 1.2.2021. Now, applicant has been arrested on 18.4.2021.
4. It is argued on behalf of applicant-accused that he is innocent. He has been falsely implicated in this case. He could not appear during trial on 17.12.2019 as he had gone to M.P. during harvesting

season and thereafter there was onset of pandemic situation in the country so he could not appear during trial. His absence was neither intentional nor willful. He is ready to face the trial. So, it is prayed that applicant be released on bail.

5. Whereas, learned Addl.PP for the State has opposed the bail application.

6. Heard. Record perused. As per record applicant was on bail during trial but he became absent and was declared Proclaimed Offender. He has given explanation for becoming absent during trial. Moreover, he is in custody since 18.4.2021 and keeping in view the surge in Covid-19 cases, there is no likelihood of start of trial again. In view of entire circumstances, the bail application is allowed and applicant-accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount, to the satisfaction of trial Court/duty Judge, subject to the following conditions:

1. That the accused shall not tamper with prosecution evidence;
2. That the accused shall not leave the country without prior permission of the Court;
3. That the accused shall appear in the court on each and every date hearing.

Papers be attached with the main trial file.

Pronounced.
24.5.2021

(Shiv Mohan Garg)
Addl. Sessions Judge.
Patiala. (UID No.PB0164)

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Record of main trial file perused. Arguments heard. Vide
separate detailed order of even date, the bail application has been allowed.

Papers be attached with the main trial file.

Pronounced.
24.5.2021

(Shiv Mohan Garg)
Addl. Sessions Judge.
Patiala. (UID No.PB0164)

Ravinder Kaur
Stenographer-I