

PBBT010051792024



Presented on : 02-05-2024
Registered on : 03-05-2024
Decided on : 13-05-2024
Duration : 0 years, 0 months, 11 days

IN THE COURT OF
Additional Sessions Judge, Bathinda
(Presided Over by Rajiv Kalra, PB0098)

BA/1601/2024

Application for Regular Bail
FIR No. 11 dated 12.03.2024
Under Section 379-B, 506 IPC
PS Nandgarh District Bathinda

State of Punjab

VERSUS

Amritpal Singh son of Harnek Singh resident of Bir Talab, District
Bathinda (confined in Central Jail, Bathinda).

Present:
Sh. Aseem Goyal, Public Prosecutor for State
Sh. Rohit Khattar, Advocate, counsel for applicant

ORDER
(Delivered on 13.05.2024)

(1) The applicant, Amritpal Singh, has filed the present application under Section 439 of the Code of Criminal Procedure (CrPC), seeking regular bail in FIR No. 11 dated 12.03.2024 registered under Sections 379-B, 506 of the Indian Penal Code (IPC) by the police of PS Nandgarh, District Bathinda.

(2) The case represents an interesting modus operandi in commission of offence of snatching based upon first information given by Kheta Ram, truck driver, to the effect that on 11.03.2024, the complainant was bringing bricks stock on his truck to Mudki falling in District Faridkot and near to village Ghuda, he stopped the truck at about 4.30 AM for urination. In the meantime, a lady namely Sarabjit Kaur approached him with a request to leave her at Mandi Dabwali for some urgent work. Out of humanity, the complainant acceded to such request and allowed said lady to board the truck. At that time, accused Amritpal Singh @ Babbu and Krishan Kumar appeared at the spot and they started beating the complainant while threatening him to implicate him in a false case of rape and kidnapping of a lady. During such incident, one of the accused snatched ₹65,000/- from the pocket of complainant and after beating him, he was left inside the truck while tying his mouth and hands. During this incident, all the accused addressed each other with their respective names.

(3) Based upon such information, the local police registered a formal FIR under Sections 379-B, 506 IPC. After registration of the case, police arrested all the accused on 12.3.2024 and they were identified by the complainant. During search of the applicant, the police recovered currency notes worth ₹15,000/- from accused Sarabjit Kaur, which was suspected to be snatched currency notes from the complainant. During investigation, it was revealed that the remaining amount of ₹50,000/- was shared equally by other two accused including the applicant. Upon

completion of investigation and other formalities, the police submitted *challan* before the learned Illaqa Magistrate where committal proceedings are pending.

(4) I have heard and considered the contentions of both sides.

(5) The learned applicant counsel argued that the applicant has been falsely implicated in this case and he has spent substantial period behind bar from the date of his arrest. Otherwise, the presence of the applicant is required for trial purpose only. With these contentions, learned applicant counsel made a prayer for release of applicant by granting him benefit of regular bail

(6) However, the bail request is vehemently opposed by learned Public Prosecutor on the premises of serious nature of allegations levelled against the applicant. Hence a prayer is made by the learned Public Prosecutor for rejection of bail application

(7) I have considered the rival contentions of both the sides in the light of record placed before me.

(8) The modus operandi of the applicant and co-accused is pointing out commission of a serious nature of offence and keeping in view the seriousness of these allegations apart from severity of punishment attached to such act, this Court does not deem it a fit case to extend the benefit of regular bail to the applicant at this stage.

(9) Consequently, the bail application is dismissed.

(10) Nothing said hereunder this order shall be considered as final expression on the merits of the case and these observations are relevant for disposal of bail application in hand only.

(11) Copy of this order be sent to the concerned quarters.

(12) Record be consigned.

PRONOUNCED IN OPEN COURT ON 13 MAY 2024

Rajiv Kalra (PB0098)
Additional Sessions Judge, Bathinda

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