

**In the court of Shri Vijay Kumar Addl. Sessions Judge, Fazilka.
UID No.PB0154.**

B.A. No. 1628/2018
CNR No: PBFZC0-004830-2018.
Date of Filing: 06.11.2018.
Date of Order: 20.11.2018.

Shakuntla Devi aged about 43 years wife of Mohan Lal ASI, resident of
Near Army Cantt, Abohar District Fazilka.

..... Petitioner.

Versus

State of Punjab

... Respondent.

FIR No. 120 dated 22.12.2017,
U/ss 379, 447, 427, 34 IPC,
Police Station: Sadar, Abohar.

[Bail application U/s 438 (i) of Cr.P.C.]

Present: Shri VK Mehta, Adv. Counsel for applicant/accused.
Shri Wazir Kamboj, Addl. PP for the State.

ORDER:

1. Shakuntla Devi had filed the present bail application in FIR No. 120 dated 22.12.2017 registered at police station, Sadar, Abohar under sections 379, 447, 427 read with Section 34 IPC, for releasing him on bail.
2. Brief facts of the bail application are that applicant is a law abiding citizen. Applicant further stated that she is innocent and she has not committed any offence. She further stated that vague allegations have been leveled against her. She further stated that civil litigation is pending between the parties. Applicant further stated that she is ready to join

investigation. She further stated she undertakes to abide by all the terms and conditions to be imposed by this court. Hence, prayed that she be admitted to bail.

3. Upon notice, learned Addl. PP appeared on behalf of State and contested the bail application. Learned Addl. PP argued that applicant/accused along with others committed theft of paddy crop of the complainant while trespassing in the property of the complainant and caused huge loss to the complainant. Hence, prayed for dismissal of the bail application.

4. I have heard learned counsel for the applicant/accused, APP for the State and have carefully gone through the records of the case.

5. Present FIR No. 120 dated 22.12.2017 was registered against Shakuntla Devi & others at police station, Sadar, Abohar. Present case was registered against accused Shakuntla Devi & others on the ground that she along with others committed theft of paddy crop of complainant while trespassing in the property of the complainant and also caused loss to the complainant. Earlier, Shakauntla Devi applicant and others filed bail application and same was dismissed by the Court of Shri Jatinder Pal Singh Wahniwal, learned Addl. Sessions Judge, Fazilka vide order dated 27.03.2018. There are serious allegations against the applicant and others that they trespassed in the property of complainant and committed theft of

the paddy crop of complainant and caused loss to the complainant. So, paddy crop i.e. stolen property is yet to be recovered and for that purpose, custodial interrogation of applicant is necessary. Earlier, first bail application of the applicant and others was dismissed by the Court of Shri Jatinder Pal Singh Wahniwal, learned Addl. Sessions Judge, Fazilka vide order dated 27.03.2018. So, applicant failed to prove that what changes have come present after the first bail application. So, accordingly second bail application of the applicant Shakuntla Devi is without any merits, hence dismissed. Bail application papers be consigned to Record Room.

Sd/-

Pronounced in open court.

Dt. 20.11.2018.

'Bhola Shankar'

'Stenographer Gr. I'

(Vijay Kumar)

Addl. Sessions Judge,

Fazilka.

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