

IN THE COURT OF RANJIT KUMAR JAIN,
ADDITIONAL SESSIONS JUDGE,
PATIALA(PB0077)

BA No.1606/2022
CNR No.PBPT010054472022
Date of order: 4.6.2022

Sanju Kumar aged about 24 years son of Sh. Shankar Lal resident of
Mohalla Amamgarh, Samana, Tehsil Samana, District Patiala. .

.....Petitioner/Applicant

Versus

State of Punjab

FIR No. 42 dated 21.2.2022,
Under Section 379-B/411 of IPC,
Police Station, City Saman, District Patiala

Application Under Section 439 of Cr.P.C.

Present: Sh. B.S. Chahal, Advocate, for applicant-accused
Sh. KS Bajwa, Addl. Public Prosecutor for the State

ORDER:-

1. This order of mine shall dispose off application as filed by
applicant/accused under Section 439 Cr.P.C for grant of regular bail in
case FIR No. 42 dated 21.2.2022, under Section 379-B, 411 of IPC,
registered at Police Station, City Samana, on the grounds that police of PS
City, Samana arrested accused in false case and produced before Illaqa

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Magistrate Samana on 22.2.2022 and challan is pending. The applicant is innocent person and has been falsely implicated in this case. There is no reason to elive that accused/applicant has committed the alleged offence. The allegations as alleged in the FIR are totally false and without base. The investigation in this case has already completed and accused/applicant is no more required for the purpose of investigation and nothing is to be recovered from applicant. The disposal of the case will take sufficient long time and no useful purpose would be served by detaininig accused/applicant behind bar and his further detention is uncalled for. Applicant undertake to abide by all the conditions imposed by the court. Prayer is made for allowing the bail.

2. Upon notice of the application same is contested by State.

3. As per prosecution version, the FIR has been registered upon statement of one Mohan Lal son of Kasturi Lal resident of Peer Gori, Mohalla, Samana on the allegations that on 20.2.2022 at about 8.30 p.m. his wife Seema Rani and daughter in law Amandeep Kaur were going to their house from their shop. Then from the backside one motor cycle bearing no. PB11-BL-4232 came on which two persons were sitting and they snatched the mobile phone carried by his wife Seema Rani and fled away. He has seen the occurrence while standing on his shop. his boss Nishant has asked him to bring salary of the employees. On enquiry it

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came to his notice that driver of motor cycle was Sanju son of Shankar Lal and name of pillion rider was Sonu Kumar son of Kala Ram. On the basis of statement, case has been registered. Accused were arrested. Challan has been presented which is pending committal.

4. Heard. Police file is called and same is perused.

5. As per prosecution story, there are allegations of mobile snatching against the applicant/accused alongwith co-accused. No injury has been caused in the incident. The accused is already in custody since 21.2.2022. Challan has presented but not committed yet. Completion of trial will certainly take long time. No useful purpose will be served to retain him in custody for this indefinite period. Even the detention of the accused will burden the State Exchequer. So, he is ordered to be released on regular bail on furnishing bail bonds in the sum of Rs. 50,000/- with one one surety of the same amount to the satisfaction of Illaqa/Duty Magistrate with the conditions that:-

- (i) the applicant/accused shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the court or to any police officer;
- (ii) the applicant/accused shall not leave the country without prior permission of the court;

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- (iii) the applicant/accused shall appear on each and every date of hearing before the court or in any other court as directed by that court.

Police record be returned, whereas bail application file be consigned to the record room.

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jaspal singh stenographer-II

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