

**In the Court of Sh. Virinder Aggarwal,
Sessions Judge, Ferozepur.
(Unique Identification No.PB0045)**

CNR No.PBFZ0100- 5037 -2023

CIS No. BA- 1918 of 2023

Case No. 477 of 24.07.2023

Date of Order: 31.07.2023

Pending for 04.08.2023

Chhinderpal @ Chhinder @ Chhinda aged about 30 years son of
Anent, resident of Village Fattu Wala, Tehsil & District Ferozepur.

... Applicant/Accused

Versus

State of Punjab.

...Respondent.

Application for bail U/s 438(i) of Code of Criminal Procedure

FIR No. 162 dated 05.12.2021,
Under Sections 379, 411 of IPC,
Police Station Kulgari.

Present: Sh. Sukhbeer Singh Advocate, counsel for applicant/accused
Sh. Dalip Kumar, Public Prosecutor for State.

O R D E R:-

This order of mine shall decide this application for pre-arrest
bail under section 438 of Cr.P.C., filed in the above noted FIR on
behalf of applicant, on the allegations that he is innocent and has been
falsely implicated in the present case. No offence is made out against
the applicant/accused from the contents of FIR. Name of the applicant/

accused does not figure in the FIR and the police officials have intentionally involved the applicant/accused on the basis of statement of co-accused vide *Rapat* No.22 of 07.12.2021. Trial of the case is pending in the Court of Learned JMIC, Ferozepur. Recovery has already been effected from co-accused. Applicant/accused is ready to join investigation. His custodial interrogation is not required. Hence, it is prayed that the application be allowed and applicant be given the concession of pre-arrest bail.

2. Notice of bail application was issued to State and Sh. Dalip Kumar, Learned Public Prosecutor put in appearance on behalf of State. Record has also been requisitioned.

3. I have heard arguments of learned counsel for applicant and learned Public Prosecutor for State and have gone through the record.

4. As per report of filing branch clerk, no bail application filed by applicant/accused is pending in the Hon'ble High Court. He has attached on record copy of report downloaded from the website of Punjab and Haryana High Court.

5. The case against Juj, Pipal, Kuljit and Gurpreet Singh was registered on the basis of secret information received by ASI Gurdev Singh that they are indulging into theft of electric cables and on that basis, case was registered against them. They were arrested and two

motorcycles without number and 100 kgs of aluminium cable was recovered from them and vide *Rapat* No.22 of 07.12.2021, Darshan Singh, Swaran Singh, Babbu and Chhinder Singh were nominated as accused.

6. A period of more than 18 months has elapsed, but Investigating Agency has not apprehended the applicant/accused and others. Offences are punishable upto 3 years of imprisonment. No notice as required under section 41-A Cr.P.C. has been served upon the applicant/accused till date. Considering all these facts, applicant/accused is directed to join investigation. In case he is required to be arrested, he be released on interim bail to the satisfaction of Arresting Officer. The applicant shall also abide by the conditions as specified under Section 438(2) of Cr.P.C.

7. Now file be put up on 04.08.2023.

Pronounced:
Dated: 31.07.2023
Mukesh Kakkar
Executive Assistant

Sd/- (**Virinder Aggarwal**)
Sessions Judge, Ferozpur.
(UID No.PB0045)