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**IN THE COURT OF MRS. MANDEEP PANNU,
SESSIONS JUDGE, MOGA (UID:PB0046).**

CIS No.BA/1980-2021

CNR No.PBMO01005060-2021

Date of order: **17.09.2021**

State

Versus

Major Singh, aged about 19 years son of Sohan Singh, resident of village Saidoke, Tehsil Nihal Singh Wala, District Moga.

Applicant-accused.

FIR No.139 dated 06.08.2021

Under Section: 379-B, 411 IPC

Police Station: Nihal Singh Wala

Bail application under Section 439 Cr.P.C.

Present: Shri R.S.Dhaliwal, Advocate, counsel for accused-applicant.
Shri Sukhchain Singh, Public Prosecutor for the State.

ORDER

This order of mine shall dispose of an application under Section 439 Cr.P.C filed by applicant-accused Major Singh for regular bail.

2. Notice of the bail application was given to the State. Learned Public Prosecutor made appearance on behalf of the State and opposed the same.

3. Perusal of FIR reveals that on 06.08.2021, SI Maghar Singh along with other police officials was on patrolling duty and checking of suspected persons. When the police party reached on Madhe Ke Chowk Barnala Road, Nihal Singh Wala, SI Maghar Singh received a secret

information that Kulwinder Singh @ Soni son of Amar Singh son of Jora Singh, resident of Roop Basti Nihal Singh Wala, Sunil Kumar @ Shani son of Amanjit Singh son of Mukhtair Singh, resident of Guru Teg Bahadur Nagar Kotkapura, Lavpreet Singh @ Lavi son of Bhupinder Singh, resident of Nihal Singh Wala, Gurpreet Singh @ Gopi son of Jasbir Singh, resident of Basti Slabatpura, Karanpreet Singh @ Karan son of Satnam Singh, resident of Aadampura are habitual of snatching motorcycles from the passersby. Today also, they are coming towards Nihal Singh Wala by riding a motorcycle and if *nakabandi* is held, they can be apprehended with stolen mobile phones and motorcycles. Finding the secret information to be reliable, ruqa was sent to the police station for registration of FIR u/s 379-B IPC against the above said accused persons and *nakabandi* was held at the disclosed place.

4. It is submitted by the learned counsel for the applicant-accused that the applicant-accused was not named in the FIR. He is innocent and has been falsely implicated in this case. The applicant-accused is in custody since 08.08.2021. Conclusion of trial will take long time. No useful purpose will be served by keeping the applicant-accused behind the bar for a definite period. Therefore, he be released on regular bail.

5. I have considered the rival contentions of learned Public Prosecutor for the State and learned counsel for the applicant-accused and gone through the record.

6. Perusal of the record reveals that the applicant-accused was not named in the FIR. He is in custody since 07.08.2021. Recovery of one motorcycle has already been effected. Conclusion of trial is likely to take some time. No useful purpose would be served in keeping the applicant/accused further in custody. Consequently, his regular bail is allowed and he is ordered to be released on bail on his furnishing bail bonds in the sum of ₹50,000/- with one surety in the like amount, to the satisfaction of Illaqa/Duty Magistrate. File be consigned to the record room.

Pronounced.
17.09.2021

Jaswant Kaur, Stenographer G-II

(Mandeep Pannu),
Sessions Judge, Moga
(UID:PB0046).

(directly dictated on computer)

State Versus Major Singh

BA 1980-2021

Present: Shri R.S.Dhaliwal, Advocate, counsel for accused-applicant.
Shri Sukhchain Singh, Public Prosecutor for the State.

An application has been moved by learned counsel for the applicant-accused for adding Section 411 IPC in the head note of application. Amended bail application has also been filed.

Arguments heard. Vide my separate detailed order of even date, the present bail application has been allowed. File be consigned to the record room.

Pronounced.
17.09.2021

Jaswant Kaur, Stenographer G-II

(Mandeep Pannu),
Sessions Judge, Moga
(UID:PB0046).
(directly dictated on computer)