

**In the Court of Sandeep Singh Bajwa, Addl. Sessions Judge,
Amritsar.**

**B.A. no. 1988 of 2020.
CNR No. : PBAS010048252020.
Date of order :27.5.2020.**

S T A T E

Versus.

**Gurpreet Singh @ Goru son of Hardeep Singh, R/o H.No. 28, Gali No.1,
Riasat Avenue, Chheharta, Amritsar.**

.....Accused.

**FIR no. 42/2018.
U/s 379-B/411/34 IPC.
Police Station : Chheharta, Amritsar.
Ind bail application u/s 439 Cr.P.C.**

**Present :- Mr. Amita Bhatia, Adv. Counsel for the
applicant/accused through VC.
Ms. Ritu Kumar, Additional PP for the State.**

O R D E R

1. This order shall dispose off second application for bail moved on behalf of abovesaid applicant/accused under section 439 Cr.P.C for regular bail in FIR No. 42 dated 12.03.2018, u/s 379-B/411/34 of IPC, P.S. Chheharta, Amritsar.

2. Concise facts necessary for the disposal of the instant bail application are that on 12.3.2018, in the area of P.S. Chheharta, the present applicant-accused Gurpreet Singh alongwith co-accused Bikramjit Singh had snatched gold ear ring from a lady in Chheharta Market. They were arrested by the police at the spot as the accused were caught by the public. The present FIR was registered.

3. Notice of the bail application was given to state and trial court record was also summoned.

4. Learned counsel for the applicant argued that applicant/accused is innocent and has been falsely implicated in the present case. No such offence has been committed by the accused. His first bail application has been dismissed by this court. He further argued that he is in custody since 12.3.2018 and nothing is to be recovered from the accused. He is in custody for more than two years and till date, the prosecution has miserably failed to conclude the trial. The applicant/accused undertakes to abide by all the terms and conditions of bail. Thereafter, he has prayed for grant of regular bail.

5. Per contra Ld. Addl. PP for the state argued on the score that there are grave and serious allegations against the applicant/accused. The recovery of ear ring was made from co-accused and there is on record the disclosure statement of the applicant-accused in which he admitted different occurrences of snatching. She further argued that in case he is enlarged on bail at this stage, then there is every likelihood that he would flee which would prejudice the trial, therefore, he does not deserve any leniency of regular bail at this stage and thus she prayed for dismissal of the application.

6. I have heard the rival submissions besides perusing the record.

7. In the present case, as per prosecution version, nothing has been recovered from the applicant/accused and he is in custody since the 12.3.2018 i.e. more than two years. Even otherwise, the recovery has already been effected from the co-accused. It has been fairly conceded by Ld.Addl.PP for the state that no recovery has been effected from the present accused. As per record, all the material witnesses including IO and complainant has already been examined since the challan has already been

presented and as such no useful purpose would be served by further detaining the applicant/accused behind the bars. Therefore, the accused/applicant is ordered to be released on bail on furnishing of personal bonds in the sum of Rs.50,000/- due to COVID-19 outbreak and in view of directions of Hon'ble High Court in CRM-M-11952-2020 (O&M) date of decision 30.3.2020 passed in **"Ishu Grover @ Ishu @ Gollu Vs. UT Chandigarh & another**, with an undertaking that he shall furnish surety bonds/bail bonds as and when the situation regarding outbreak of pandemic of COVID 19 (Novel Coronavirus) become normal before this court and further subject to conditions that applicant-accused will neither leave the country without prior permission of the court nor accused will tamper with the witnesses of the prosecution and will appear on each and every date of hearing. He will not threat, promise or induce the prosecution witnesses. He shall not leave India without prior permission of the court and would appear in court on each date of hearing. File be attached with the main trial.

Pronounced :-27.5.2020.

(Sandeep Singh Bajwa)
Addl. Sessions Judge,
Amritsar.