

**IN THE COURT OF UPINDER SINGH JANDU,
ADDITIONAL SESSIONS JUDGE, SANGRUR.
(UID Number PB00842)**

Case Type	Bail Application
Registration Number	1940 Date of Registration : 11.06.2025
CNR Number	PBSG01-004948-2025
Date of Decision	15.07.2025

Bunty aged about 30 years son of Angrej Singh resident of Sekhupura Basti, Sangrur.

...Applicant/accused

Versus

State of Punjab

...Respondent

Application for grant of Regular Bail

FIR No. 90 Dated 26.04.2025.
Under Section 303(2), 317(2) BNS Act and 111 BNS
Police Station City, Sangrur

Present: Sh.P.S.Rattan Advocate for applicant/ accused.
Sh. H.R.Goyal, Additional Public Prosecutor for the State.

ORDER

1. Present regular bail application has been filed by the applicant/accused in a case FIR number 90 dated 26.04.2025 Under Sections 303(2), 317(2) BNS Act and 111 BNS Police Station City, Sangrur.

2. In pursuance of notice of the application having been issued, the learned Additional Public Prosecutor for the respondent-State has put in appearance. Record has been produced by HC Inderjit Singh, number

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1544/Sangrur who has stated that apart from this FIR, accused/ applicant is involved in 9 other FIRs:

S.NO.	FIR Number and Date	Under Sections	Police Station
1.	291 dated 14.08.2016	399, 402 IPC, 25 Arms Act	City, Sangrur
2.	293 dated 15.08.2016	379-B IPC	City, Sangrur.
3.	184 dated 27.08.2019	457, 380 IPC	City, Sangrur
4.	87 dated 26.03.2020	27, 61, 85 NDPS Act and 188 IPC	City, Sangrur
5.	90 dated 26.04.2025	303(2) BNS	City, Sangrur.
6.	76 dated 23.08.2014	61 of Punjab Excise Act	Sadar, Sangrur
7.	84 dated 06.04.2019	457, 380 IPC	Bhawanigarh
8.	93 dated 23.04.2020	379 , 457, 380, 411 IPC	City-1, Sangrur
9	74 dated 27.04.2021	188 IPC	City-1, Sangrur.

3. I have heard the learned counsel for the applicant/accused and learned Additional Public Prosecutor for the State and have gone through the record.

Arguments advanced by the learned counsel for the Applicant/accused:

4. The learned counsel for the applicant/accused has submitted that applicant/accused has been falsely involved in this case. The applicant/accused is in custody since 29.04.2025. There is a delay of 19 days in recording the FIR. The recovery has already been effected in this case. The applicant/accused is not required for interrogation and investigation purpose. The challan has already been presented in this case and conclusion of trial will take long time. Hence, the prayer for relief of regular bail has been made.

Arguments advanced by Learned Additional Public Prosecutor for the State:

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5. Per contra, learned Additional Public Prosecutor for the State has opposed the bail application on the ground that the applicant/accused is a member of organized crime syndicate continuing unlawful activity and the applicant/accused is involved in 9 other FIRs. The applicant/accused is habitual offender and he is not entitled to the concession of regular bail and prayed for dismissal of the bail application.

Factual matrix of the Case:

6. The criminal law was set into motion on the statement of complainant Jacky recorded on 26.04.2025 wherein he has stated that he is doing a private job. On 07.04.2025 at about 6.40 P.M, he came to Banasar Bagh on his motorcycle bearing registration number PB-13AD-6184 make Splendor Pro of blue-black colour Model 2013. When he came out after plying, it was about 7.30 P.M, he saw that his motorcycle was not there. He inquired the matter at his own level. Now he came to know that Sukhwinder Singh alias Sukha son of Gurcharan Singh resident of Samundgarh Channa had committed the theft of his motorcycle. On that day, he had to come at Banasar Bagh for committing the theft. On the statement of complainant, Sukhwinder Singh was arrested. On the disclosure statement of Sukhwinder Singh, accused Gurmeet Singh was nominated in the present case from whose possession motorcycle of the complainant was got recovered from uninhabited area on Haripura Road, Military area, Sangrur. Further on the basis of disclosure statement of accused Sukhwinder Singh, applicant/accused Buntty was nominated in the present case on 29.04.2025 from whose possession, one stolen (Upinder Singh Jandu)
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motorcycle bearing engine number HA10ELEHF36439 having chassis number MBLHA10A3EHF12138 was recovered.

Findings:

7. After giving my thoughtful consideration to the rival submissions and on careful perusal of the averments put in the application, contents of the FIR, perusal of the record, coupled with the assistance rendered, it is pertinent to make mention that perusal of the file reveals that applicant/accused is already involved in 9 other FIR's and this is the 10th case which has been registered against the applicant/accused; 6th under theft and robbery and it is the 7th case under theft which shows that he is a person having criminal background. The antecedents of applicant/accused show that he is habitual offender and he misuses the liberty of bail. When an accused person repeatedly commits crimes, then seeks bail after each offence, only to re-offend once released and is presently in custody for a new crime, Court is likely to deny bail due to the established pattern of criminal behavior, indicating a heightened risk of commission of further offences if released. He is a serious threat to the society at large as he is constantly engaging himself in criminal cases, treating bail to be a license to re-indulge himself in re-committing the same offence, having no fear of law. This Court is not oblivious of the fact that each case is to be decided on its own merits and pendency of cases should not be the criteria to deny the bail. But when bail is considered to be a licence to re-offend again and again, it must be withheld, to prevent

from becoming a facilitating factor in the commission of crime by the
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accused. Object of bail is to ensure that the accused appears in the Court and is not unnecessarily imprisoned and not to encourage re-offending. The accused/applicant was nominated in the present case on the disclosure statement of co accused Sukhwinder Singh and one stolen motorcycle was also recovered from him which prima facie indicates his active involvement in the criminal activities and his indulgence in cases under theft, which needs to be curbed amidst the ongoing fight against rise in vehicle theft cases in the state. Keeping in view the antecedents of the applicant/accused together with the recovery in this case, it appears that he is engaged in criminal activities and he does not deserve to be released on bail. Consequently, as a sequel to the above discussion, the bail application is dismissed. Any observation made in this order shall have no effect on the merits of the case. Police record be returned. Bail application file be consigned to the record room.

Announced:15.07.2025

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Rakesh Kumar Stenographer Grade-I.

(Upinder Singh Jandu)
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