

PBBT010034952019



Presented on : 18-01-2019
Registered on : 19-01-2019
Decided on : 07-02-2019
Duration : 0 years, 0 months, 20 days

CNRPBBT01-003495-2019

BA 199 of 2019

State versus Gurminder Singh @ Preeti

***FIR No.04 dated 4.1.2019
Under Section 379-B
of Indian Penal Code,
Police Station Nathana,
District Bathinda.***

***Bail Application under Section
439 of Code of Criminal Procedure.***

7.2.2019 Present: Sh.V.V.Singla, Advocate, counsel for applicant.
Sh.H.S.Gill, Addl.P.P.for State.

This order of mine shall dispose of a regular bail application under Section 439 Cr.P.C. moved on behalf of aforesaid applicant in case FIR No.04 dated 4.1.2019, under Section 379-B of Indian Penal Code, Police Station Nathana, District Bathinda.

2. The FIR in the present case was registered on the statement of Nardev Singh son of Jeet Singh, resident of village Charnarthal on the allegations that he was working in Jana Small Finance Bank, Rampura and used to collect the installments from the customers in the nearby villages. On 4.1.2019 he was coming back after making

Kanwaljit Singh Bajwa
Additional Sessions Judge PB-0059

collections from village Bajjoana and Bhaini and was at village Bhaini then Subhash Chander son of Hari Shankar Singh, resident of village Sahua, District Mathura (UP) also came there. Both of them on their motorcycle were going from village Bhaini to Rampura and when they reached near a Pippal tree one kilometer short of village Mari, then from backside a car of white colour also came near and slowed down and three young clean shaved persons who made a lalkara to catch them, upon which they left the motorcycle and went towards the wheat fields. One person chased him by coming out of car and threatened him to stop else he would attack him with an iron rod upon which he stopped and the said persons snatched the bag from him which contained an amount of Rs.1,35,000/- one samsung tablet and one receipt issuing machine which is worth Rs.15,000/- and after that the said persons ran away with their car.

3. Notice of application was issued to the State. Police record was requisitioned and received.

4. It was contended by the learned counsel for the applicant-accused that the case was registered against unknown persons and the applicant has been falsely implicated in this case. The applicant is in custody since 8.1.2019 . No recovery is to be effected from him and as such he is liable to be released on bail.

5. The aforesaid contention regarding period of custody already undergone not controverted by the learned Additional Public Prosecutor.

6. I have considered the aforesaid contentions raised by the learned counsel for the applicant-accused as well as the learned Additional Public Prosecutor for the State and have also gone through the police record, perusal of which it reveals that Rs.45,000/- and car has already been recovered from the applicant-accused. The applicant-accused is in custody since 8.1.2019. The presentation of challan and completion of its trial will take time. No useful purpose would be served by detaining the accused-applicant behind the bars for an indefinite period, as such, he is ordered to be released on bail, subject to furnishing bail bonds and surety bonds to the tune of Rs.50,000/-to the satisfaction of learned area/duty Magistrate subject to the following conditions:-

1. That applicant will not tamper with the prosecution evidence in any manner;
2. That applicant will not leave the limits of India without the prior permission of the court;
3. That the applicant will remain present on each and every date of hearing during the trial.

Copy of this order be sent to the concerned quarter. Police file be returned. File of this Court be consigned to the Record Room.

Pronounced.
Dated:-7.2.2019

(Kanwaljit Singh Bajwa)
Additional Sessions Judge,
Bathinda.
(UID PB-0059)

(Suman)