

**In the Court of Sh. Harbans Singh Lekhi,
Additional Sessions Judge, Faridkot**
(Unique Identification No. PB0113)

Case Type	BA
Case No.	05 of 4.1.2021
Registration No.	02-2021
CNR No.	PBFD01-000002-2021
Date of Decision	14.1.2021

Vipan Kumar son of Rampal, resident of Giani Lal Singh Street, Prem Nagar, Kotkapura, Faridkot.

...Accused/applicant

Versus

State of Punjab

F.I.R.No.249 of 11.11.2020
Offence under Sections 379-B,511 IPC
Police Station City Kotkapura.

Bail application under Section 439 Cr.P.C.

Present:- Sh.Sandeep Handa, Advocate, counsel for applicant-
accused.
Sh.Amit Goklaney, Additional Public Prosecutor for the
State.

ORDER

This order shall dispose of bail application under Section 439 Cr.P.C., filed by accused-applicant Vipan Kumar, in case FIR No.249 dated 11.11.2020, under Sections 379-B,511 IPC, Police Station City Kotkapura.

2. Notice of the bail application was issued to the State and learned Additional Public Prosecutor for the State appeared and contested the same. Police record was summoned and received.

3. I have heard Sh.Sandeep Handa, Advocate, learned counsel for accused-applicant and Sh.Amit Goklaney, learned Additional Public Prosecutor, and have carefully gone through the record.

4. Learned counsel for applicant-accused has argued that applicant-accused is quite innocent and has been falsely implicated in this case. The story of prosecution is false and fabricated. The Sections under which FIR has been lodged, are not made out against accused-applicant, as, as per story of prosecution, only attempt to commit crime was made by him. No loss has been suffered by the complainant. Moreover, accused are not known to each other. Accused-applicant is in custody since long. Challan has already been presented and same is pending for commitment. Conclusion of trial will take time and no useful purpose will be served by detaining the accused in custody for indefinite period. He further argued that accused-applicant will abide by all the terms and conditions to be imposed by this Court while releasing him on bail and prayed that bail application be allowed.

5. On the other hand, learned Additional Public Prosecutor, has opposed the bail application and contended that FIR has been registered against accused-applicant and another, on true facts. The allegations against accused-applicant are serious in nature, so, he is not entitled for concession of bail and prayed that application be dismissed.

6. I have given my thoughtful consideration to the rival contentions of learned counsel for applicant-accused and learned Additional Public Prosecutor for the State.

7. Perusal of record reveals that FIR No.249 dated 11.11.2020,

under Sections 379-B,511 IPC was registered against accused Vipan Kumar and Neeraj Kumar, at Police Station City, Kotkapura, on the statement of Surinder Kaur wife of Chanan Singh, wherein she has stated that she alongwith her husband, came in Kotkapura Market, for purchasing articles, due to Diwali festival. At about 7:20 PM, when after purchasing articles, they reached in Mehta Chowk, she and her husband stopped at fruits *rehri*, for purchasing apples and when after paying money to the seller, she was receiving the remaining amount from him, then one Motorcycle on which two persons were riding came there, out of which one person alighted from the Motorcycle and tried to snatch the gold chain worn by her in her neck, then she raised noise in loud voice, on which her husband caught hold the said person. When motorcyclist tried to fled away from the spot, the shopkeepers caught hold him. People gathered at the spot. The Motorcyclist disclosed his name as Vipan Kumar and another person disclosed his name as Neeraj Kumar. Police was called at the spot and arrest of accused was effected at the spot. After completion of investigation, challan against accused has been presented in the Court of learned Illaqa Magistrate, Faridkot, which is now pending there for committal proceedings.

9. The allegations against accused-applicant are serious in nature. Thus, keeping in view the facts and circumstances of the case and gravity of offence, applicant-accused is not entitled to be released on bail, as such like offences of snatching are on rise day by day and there is every apprehension that if released on bail, accused may again resort to such crimes. Bail application is accordingly dismissed. However, any

observation given above, shall have no bearing on the merits of the case.

Record be returned. Bail application file be consigned to record room.

Pronounced.
Dated:- 14.1.2021.

(Harbans Singh Lekhi)
Additional Sessions Judge,
Faridkot.
(Unique Identification No.PB0113)

Sonia Devi

Present:- Sh.Sandeep Handa, Advocate, counsel for applicant-accused.
Sh.Amit Goklaney, Additional Public Prosecutor for the State.

Record produced.

Arguments heard. Vide my separate detailed order of even date, bail application filed by the applicant-accused, has been dismissed, as detailed therein. Bail application file be consigned to record room.

Pronounced.
Dated:- 14.1.2021.

(Harbans Singh Lekhi)
Additional Sessions Judge,
Faridkot.
(Unique Identification No.PB0113)