

Gundripal @ Santosh Vs. State of Punjab

Case No. BA/1987/23.10.2019.
CNR No. PBKP01-005538-2019.
Decided on: 24.10.2019.

Present: Sh. BJS Bajwa, Ld. counsel for accused/applicant.
Sh. Manoj Sabharwal, Ld. P.P for the State.

ORDER:

This order of mine shall dispose of this bail application, moved by above named accused/ applicant Gundripal @ Santosh, under section 439 of Cr.P.C, pertaining to a criminal case registered against him, vide FIR No. 07 dated 02.10.2019, under section 3 RP (UP) Act, P.S. RPF, RCF Post, Kapurthala.

2. Notice of this bail application was given to Ld.P.P for the State, who appeared and opposed this bail application. Police record has also been produced.

3. I have heard Ld. counsel for applicant/accused Sh. BJS Bajwa, Ld. P.P for State Sh. Manoj Sabharwal, and have gone through the record pertaining to this case very carefully, with their able assistance.

4. Ld. Counsel for the applicant/ accused has contended that the accused/ applicant is in custody since 09.10.2019 and he has not committed any offence. Nothing is to be recovered from him, as such, he is entitled to concession of bail, whereas, Ld. PP for the State has contended that accused/ applicant has committed a heinous crime and he should not be allowed the concession of bail. As such he is not entitled to the concession of bail.

5. The present case has been registered on the statement of complainant S.I. Joginder Pal to the effect that on 09.10.2019, he alongwith other police officials was present on the railway platform. During patrolling they saw three persons carrying some heavy substance on their shoulders. On seeing the police party, they hide themselves on the backside of the boogies (Dibas of train). On reaching near them, the complainant alongwith others caught them with the railway property. Present case was registered against accused/ applicant and others.

6. Accused/ applicant is in custody since 09.10.2019. Presentation of challan and conclusion of trial would take time. Nothing is to be recovered from him. No useful purpose would be served by keeping the accused in custody for an indefinite period. Keeping in view the entire facts and circumstances of this case, bail application moved by applicant/ accused stands allowed and disposed off. Accused/ applicant Gundripal @ Santosh is ordered to be released on bail on his furnishing personal bonds in the sum of Rs.40,000/- with one surety of the same amount to the satisfaction of Illaqa/ Duty Magistrate and file be consigned to the record- room.

Pronounced in Open Court
on: 24.10.2019.
Raman

(Kishore Kumar)
Sessions Judge, Kapurthala.
(UID PB0034)