

PBGDA10030632023



Presented on : 16-05-2023
Registered on : 16-05-2023
Decided on : 22-05-2023
Duration : 0 years, 0 months, 6 days

**IN THE COURT OF
Sub-Divisional Judicial Magistrate
AT Batala, Gurdaspur
(Presided Over by Ms. Vineeta Luthra)**

BA/305/2023

State Vs. Sharanjit Singh

FIR No.172 of 12.11.2020.
U/s. 420/506 IPC
P.S. Rangar Nangal, Batala.

Present: Sh. Ravinder Singh, Ld.APP for the State.
Sh. Satinderbir Singh Ghuman, Advocate, for applicant/accused

1. Heard on the bail application filed by accused/applicant **Sharanjit Singh** wherein it was pleaded that applicant-accused has falsely implicated in the above said case and he is in judicial custody since 01.04.2023. That the applicant-accused is innocent person and the whole prosecution story is concocted by the complainant with an ulterior motive to harass and humiliate the accused-applicant. That the presentation of challan and conclusion of trial will take sufficient time and no useful purpose would be served by detaining the applicant/accused behind the bars for an indefinite period and nothing incriminator has been recover from the possession of the accused. As such, learned counsel for accused/applicant has prayed for release of accused/applicant on bail.

2. Upon notice, learned APP for the State, appeared and opposed the bail application on the ground that accused has committed a serious offence. As such prayer for dismissal of the present bail application has been made. SI Daljit Singh No.2823/BTL has suffered a statement that there are total four accused in this case and only one accused Sharanjit Singh is arrested on 01.04.2023 and no recovery was effected from the accused and there is no

Vineeta Luthra, PCS,
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other FIR against the accused in PS City Batala.

3. I have considered the contradictory versions of the contesting parties and have deliberated over the arguments advanced in the light of documents, peculiar facts and circumstances and submissions made.

4. Record perused. Perusal of file reveals that applicant/accused is already in judicial custody since 01.04.2023 and the presentation of the challan and conclusion of trial will take time. Moreover, recovery has already been effected. The criminality of accused, if any, is a matter of trial and it is the cardinal principle of criminal jurisprudence that accused is presumed to be innocent, until proved guilty. Thus, no useful purpose will be served by keeping the accused behind bars, rather it will be a burden on State Exchequer. As such, the present bail application is hereby allowed and accused namely **Sharanjit Singh** is ordered to be released on bail on furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount. Bail bonds and surety bonds not furnished.

5. Papers be attached with the main challan.

Pronounced in open Court :
Dated: 22.05.2023

(Vineeta Luthra) PCS,
Sub Divisional Judicial Magistrate,
Batala. UID No. PB0349

Nitesh Kumar, Stenographer-II