

IN THE COURT OF JAGMOHAN SINGH SANGHE
ADDITIONAL SESSIONS JUDGE, FAZILKA.
(UID NO.PB0447)

Case Details

Case Type	BA
Regn. No.	BA/1848/2023 Date of Regn. 31.08.2023
CNR No.	PBFZC0-0048762023
Date of order	02.09.2023.

Ram Partap aged 63 years son of Deva Ram resident of Dhani Gumjal,
Khuian Sarwar Tehsil Abohar district Fazilka.

...Applicant.

Versus

State of Punjab

...Respondent.

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FIR No.97 dated 21.07.2023  
U/s. 307, 332, 333, 353, 186, 148, 149 IPC  
Police Station Khuian Sarwar

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Bail application Under Section 439 Cr.PC.

Present: Shri B.S.Brar, Chief Legal Aid Defence counsel for applicant
Shri Gurbaj Singh, Additional PP for the State.

ORDER:

1. By this order, this Court intends to dispose off the present bail application under Section 439 Cr.PC having been filed by applicant Ram Partap.
2. Notice of the bail application was served upon the State through learned Additional PP alongwith copy of bail application, who received the same, appeared and contested the bail application on merits. Police record was requisitioned which has been received and perused.
3. I have heard the respective contentions of both the learned

Advocates and have perused the record with their able assistance.

4. Learned counsel for the applicant has requested for grant of bail to the applicant primarily on the ground of his long custody. Admittedly, the applicant is since arrested and is lodged in judicial custody since 22.07.2023 meaning thereby the custody of the applicant does not seem necessary for the purpose of investigation or any recovery. The Judicial custody of the accused shall serve no useful purpose as presentation of challan and conclusion of trial is likely to take considerable period. Moreover, this Court has already granted bail to the other accused who were similarly situated in the allegations as such, the application under Section 439 Cr.PC filed by the applicant stands allowed. He is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned Illaqa Magistrate/Duty Magistrate subject to the following conditions :-

- A. *That the applicant shall appear before the Trial Court on each and every date of hearing.*
- B. *That the applicant shall not directly or indirectly induce or coerce any witness of prosecution so as to dissuade him from deposing as witness in the Court.*
- C. *That the applicant shall not leave India without prior permission of the Court.*

Police record be returned and the file of bail application be consigned to the record room.

Pronounced in open Court.
Dated: 02.09.2023.
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(Jagmohan Singh Sanghe),
Additional Sessions Judge,
Fazilka : UID no.PB0447