

State Vs Major Singh
BA 274-2024

PBGDA10029792024



Presented on : 10-04-2024
Registered on : 10-04-2024
Decided on : 15-04-2024
Duration : 0 years, 0 months, 5 days

**IN THE COURT OF
Judicial Magistrate - Ist Class
AT Batala, Gurdaspur
(Presided Over by Sh. Harjinder Singh)**

BA/274/2024

State Vs. Major Singh
FIR No. 83 dated 19.03.2005
U/S 411 IPC
P.S. Civil Lines, Batala.

Present: Sh. Amandeep Singh, Advocate, counsel for applicant-
accused Major Singh.
Sh. ODS Malhi, Ld. APP for the State.

Heard on the application for bail moved on behalf of
accused Major Singh. It is alleged in the application that the accused-
applicant is innocent and has been falsely implicated in the present
case. It is further averred in the application that the accused-applicant
was regularly appearing before the Court but thereafter, he went out
of State for his livelihood as he is only bread winner of his family. Due
to non appearance of accused-applicant, he was declared proclaimed
offender vide order dated 05.02.2011. It is, therefore, prayed that the
bail be granted to the accused.

Harjinder Singh, PCS
JM/C/Btl, PB0421, 15.04.2024

Notice of bail application was issued to State, however, learned APP for the State did not file reply but orally opposed the bail application.

I have heard the learned counsel for accused-applicant. Perusal of the file reveals that accused-applicant Major Singh was declared proclaimed offender on 05.02.2011 in the present case. Thereafter, he was surrendered in the Court on 27.03.2024 and sent to judicial custody and since then he is in custody. In this case, challan has already been presented and the present case is at the stage of prosecution evidence. The accused has faced sufficient period of custody on the account of his absence from the trial. Since, the accused is no more required for investigation and his presence is only required for the purpose of trial. So, keeping in view the entire facts and circumstances, no purpose would be served by sending him in the custody. Criminality if any of the accused will be ascertained at the later stage when the prosecution lead evidence in this regard during trial. So, taking a lenient view in the matter and accused is ordered to be released on bail on furnishing of bail bonds in the sum of Rs. 50,000/- with one surety in the like amount as well as subject to following conditions:-

A. That accused shall attend the court proceeding on each and every date of hearing.

B. That accused shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

C. That accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case

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so as to dissuade him from disclosing such facts to the Court or to any police officer or temper with the evidence,

D. That accused shall not leave India without the previous permission of the Court.

Requisite bonds furnished. Accordingly, release order be issued as per rules and papers be attached with main file.

Date of order : 15.04.2024
Purushottam Kumar
Stenographer-II

(Harjinder Singh)
Judicial Magistrate Ist Class
Batala. (UID No. PB0421)

Harjinder Singh, PCS
JMIC/Btl, PB0421, 15.04.2024