

CNR No. PBPTB1-000030-2023

CIS No. BA/3/2023

State Vs. Harmehtab Singh alias Farid

Present: - Sh. Makhan Singh, Advocate for accused/applicant
Harmehtab Singh alias Farid.
Sh. Ashwani Kumar, APP for the State.

This order of mine will dispose of an application for grant of bail, filed by applicant/accused Harmehtab Singh alias Farid through counsel. It is averred in the application that accused was illegally arrested by the police on 16.12.2021 and thereafter he was produced before this Court and accused is in custody since then. It is further averred that accused-applicant has been falsely implicated in the above noted case. As per the FIR no case is made out against the accused-applicant and accused-applicant is innocent. No narcotic drugs or psychotropic substance was recovered from the possession of accused-applicant and the only allegation attributed to the applicant is the alleged recovery of the mobile phone. False recovery has been planted upon the accused-applicant by the jail officials in connivance with the police of Police Station Sadar Nabha.

Reply to the application has not been filed by prosecution. However, Ld. APP for the State orally opposed the same and argued that recovery has been effected from accused, hence his bail application is required to be declined.

After hearing the learned APP for the State and counsel for accused/applicant, It is observed that allegations against the accused Harmehtab Singh alias Farid are that he is found in possession of mobile phone. Accused was arrested in the present case on 16.12.2021 and he is in custody since then. Since presentation of challan and conclusion of trial

is likely to take considerable time and nothing is to be recovered from the accused. No useful purpose would be served by keeping the accused behind the bars. Rather, it would be burdened on State Exchequer. So, keeping in view the facts and circumstances of the case, present bail application of accused Harmehab Singh alias Farid is allowed, subject to furnishing of bail and surety bonds in the sum of Rs. 20,000/- with one surety. Bail bonds and surety bonds not furnished. Application stands disposed of accordingly. Papers of bail application be attached with main file/remand papers/FIR.

Date of Order: 09.01.2023
Rao Brinder Singh,
Stenographer-II

Balkar Singh, PCS
Judicial Magistrate 1st Class
Nabha (PB0432)

