

FIR No. 170 dated 26.08.2023.
Under Section : 379/411 IPC
Police Station : City-I, Abohar.

Present: Sh. R.S. Jossan, APP for the State.
Sh. APS Tinna, Advocate, Legal Aid Counsel for applicant/
accused Kulwinder Singh.

Heard on the bail application filed by accused/applicant Kulwinder Singh, wherein it was pleaded that no offence has been committed by applicant and he has been falsely implicated in the present case. It has been further averred that applicant/accused undertake not to temper with the prosecution evidence. It has been further averred that he will appear on each and every date of hearing and will abide by the direction of the court. He is in judicial lock up since his arrest. As such, learned counsel for accused/applicant has prayed for release of accused/applicant on bail.

Upon notice, learned APP for the State, appeared and opposed the bail application on the ground that accused has committed serious offence. As such prayer for dismissal of the present bail application has been made.

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.

Police record perused. Perusal of file reveals that accused is already in judicial custody since 27.08.2023 and was remanded to judicial custody on request of Prosecution itself. The recovery has already been effected. The presentation of challan and then conclusion of trial will take time. Criminality of accused if any is a matter of trial. It is cardinal principle of criminal jurisprudence that accused is presumed to be innocent, until period guilty. Thus, no useful purpose will be served by keeping the accused behind bars, rather it will be a burden on State Exchequer. Therefore, without commenting upon the merits of the case, accused/applicant above named is ordered to be released on bail, on furnishing bail bonds and surety bonds in the sum of Rs. 20,000/- with one surety in the like amount, subject to following conditions:-

1. He shall not commit similar type of offence.

2. He shall not induce or threaten witnesses of the case and shall not tamper with evidence of the case. He shall not try to contact with complainant, without his consent.
3. He shall come present on each and every date.

Bail bonds and surety bonds not furnished. Present papers be attached with main file. Copy of this order be send to accused through concerned Jail Superintendent. Ahlmad is directed to put file after one month, if bail bonds are not furnished till then.

Pronounced in open Court :
Dated: 18.09.2023.
Vineet Behl,
Stenographer-II.

(Satish Kumar Sharma),
Sub Divisional Judicial Magistrate,
Abohar. PB0375.