

**IN THE COURT OF NEERAJ GOYAL,
SUB DIVISIONAL JUDICIAL MAGISTRATE
MALOUT, UID NO. PB0365
BA/296/2021**

Akashdeep Singh Vs. State

FIR No. 63 of 10.04.2021,

Under Sections:- 381 and 411 of IPC.

Police Station: City Malout

Present:- Shri R.P Singh Guro, Advocate Counsel for the applicant /
accused **Akashdeep Singh S/o Balwinder Singh**.

Shri H.S Kahlon, APP for the State.

Heard on the **regular bail application** moved on behalf of applicant / accused **Akashdeep Singh S/o Balwinder Singh**. In support of the bail application, it has been submitted that the applicant / accused has been falsely implicated in the present case and the applicant / accused is an innocent person. Applicant / accused has not committed any alleged offence. Nothing has been recovered from the possession of the accused / applicant. Further, ld. Counsel for applicant / accused submitted that applicant / accused was arrested on 10.04.2021 and then he was in judicial custody upto 22.05.2021, now he is on parole (be read as 'on interim bail') from 23.05.2021 and no more required for further investigation. The presentation of challan and conclusion of trial will take long time and no useful purpose can be served by detaining the applicant / accused **Akashdeep Singh S/o Balwinder Singh** in judicial custody for indefinite period. The applicant / accused **Akashdeep Singh S/o Balwinder Singh** undertakes to abide by all the terms and conditions which may be imposed by the Court. Thus, prayed for concession of bail.

On the other hand, the learned APP for the State orally opposed the bail application and has not filed any written reply. He submitted that the applicant / accused has committed serious offence, so he should not be released on bail.

Heard. Record perused. Perusal of the record shows that

applicant / accused **Akashdeep Singh S/o Balwinder Singh** has already been released on interim bail vide order dated 27.05.2021 passed by the Court of Ms. Shivangi Sangar, Ld. Duty Magistrate, Malout. Further, as per record before releasing on interim bail the applicant / accused **Akashdeep Singh S/o Balwinder Singh** was in custody since 11.04.2021 and he remained in custody till 27.05.2021. So now considering the nature of offence as well as period of custody of applicant / accused **Akashdeep Singh S/o Balwinder Singh** this Court is of the opinion that lenient view should be taken against applicant / accused **Akashdeep Singh S/o Balwinder Singh** especially in the prevailing conditions of threat of spreading of the deadly virus i.e. COVID-19, as in this condition, it is in the fitness of things to grant bail to the accused. Moreover, in these prevailing conditions, it is necessary to keep accused of such like offences out of jail to prevent congestion in the jails, which are otherwise facing problem of overcrowding, more especially when as per the directions **dated 25.03.2020, 02.05.2020, 31.07.2020, 18.11.2020, 05.02.2021, 23.04.2021 and 10.05.2021 issued by the High Power Committee headed by the Hon'ble Chairperson, Punjab State Legal Services Authority, SAS Nagar, Punjab**, in view of the guidelines issued by the **Hon'ble Supreme Court of India on 23.03.2020 in Suo Motu Writ Petition (Civil) No.1/2020- in RE : Contagion of Covid-19**, exercise of decongesting the jails, by releasing the convicts on parole and under-trials on interim bail, has already been and is still being undertaken in State of Punjab. Further, conclusion of trial will take long time, so a lenient view is taken against the applicant / accused **Akashdeep Singh S/o Balwinder Singh**. Even otherwise it is not the case of the prosecution that if released on regular bail, accused / applicant will tamper with the prosecution witnesses.

So, in view of my aforesaid observations, **the present bail application filed on behalf of applicant / accused Akashdeep Singh S/o Balwinder Singh is allowed and applicant / accused Akashdeep**

Singh S/o Balwinder Singh is ordered to be released on regular bail

on his furnishing bail bonds in the sum of Rs. 40,000/-, with one surety of the like amount, with the conditions that he will not tamper with the prosecution evidence and appear in the court on each and every date of hearing. Requisite bail bonds and surety bonds not furnished. Copy of this order be sent to jail concerned for information.

Bail application stands disposed off. Papers be tagged with relevant case FIR.

Date of Order: 14.07.2021
(Yadwinder Singh, Steno-III)

(Neeraj Goyal)
SDJM/Malout
UID No. PB0365

“Dictated Directly”