

Sukhvir Singh Vs. State

CIS No. BA No. 296-2018.

CNR.PBT01-000789-2018.

UID No. Pb.0100.

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19-02-2018;- Present; Shri SS Bains Advocate for applicant.
Mrs. Veenu Ghai Addl. PP for the State.
Assisted by Shri Amritpal Singh Sher Gill
Advocate for complainant.

Order;-

The present bail application has been filed by accused/applicant Sukhvir Singh son of Bharpur Singh for the grant of anticipatory bail, in case FIR No 17 dated 25-01-2018, Under Section 420 of Indian Penal Code, Police Station, Maur, District Bathinda.

2. The learned counsel for the accused/applicant strongly contended that the accused/applicant has been falsely involved in the case by levelling false allegations, otherwise he did not commit alleged offence. The learned counsel further contended that the prosecution story is highly improbable and unnatural and has been concocted by the complainant at the instance of his daughters and son-in-laws. The learned counsel further contended that Karnail Singh moved an application to the SSP Bathinda against his wife Ajmer Kaur that she has got transferred his land in her name and she is not taking care of him. The learned counsel further contended that thereafter Karnail Singh executed and got registered ale deed No. 549 dated 16-06-2017 in favour of the applicant with his own free will and in sound disposing state of mind. The sale consideration was paid through cheque but Karnail Singh did not present the said cheque for encashment. The learned counsel further contended that daughters of Karnail Singh have already filed a civil suit against the

applicant and Karnail Singh challenging the sale deed executed by Karnail Singh in favour of applicant, which is pending before the Civil courts at Talwandi Sabo. The learned counsel further contended that the applicant is Vice President of Youth Wing of Aam Aadmi Party of the area and the present case has been registered by the police due to political pressure. The learned counsel further contended that from the allegations levelled in the FIR no offence is made out against the accused/applicant. The learned counsel further contended that no offence of cheating is made out against the accused/applicant. The learned counsel for the applicant further argued that the custodial interrogation is not required. So, the bail application be accepted.

3. On the contrary, the learned Addl. PP for the State, assisted by learned counsel for the complainant strongly opposed the bail application on the ground that applicant/accused has specifically named in the FIR as the person, who had committed serious offence punishable under section 420 of Indian Penal Code. The learned Addl. PP for the state further argued that the custodial interrogation of the accused/applicant is required in this case. So, the bail application be dismissed.

4. Police Record is produced. This court has heard learned counsel for both the parties and perused the record with their able assistance.

5. I have carefully considered the contentions/submissions made by learned counsel for the applicant/accused as well as by learned Addl PP for the State, assisted by learned counsel for the complainant. After hearing both the sides

carefully, I am of the considered opinion that there are serious allegations against the accused/applicant. So considering the gravity of allegations and for proper investigation, custodial interrogation of accused/applicant is required. There is no ground to grant concession of bail under section 438 of Cr. P.C and hence, the bail application of applicant stands dismissed. Copy of this order be sent to the concerned quarter. File be consigned to the record room.

Announced.

Dated; 19-02-2018.

(Baljinder Sidhu)
Addl. Sessions Judge,
Bathinda.UID No.PB0100.

Ramjan Khan.

Stenographer Gr. I.

