

1 Meshi alias Ramesh Kumar Vs State of Punjab.

IN THE COURT OF SUB DIVISIONAL JUDICIAL MAGISTRATE,
NAKODAR PRESIDED OVER BY BALJINDER KAUR
(UID NO.PB0329)

CIS CASE NO.	BA-298-2022
CNR NO.	PBJLA1-002420-2022
INSTITUTED ON	18.08.2022
DATE OR ORDER	18.08.2022

Meshi alias Ramesh Kumar Vs State of Punjab.

FIR No.158 Dated 07.06.2007
U/s324, 323, 341, 506, 148, 149 IPC
PS Nakodar.

Present: Shri Bharat Bhushan, APP for the State.
Shri Kiran Kumar, Advocate Counsel for accused Meshi alias
Ramesh Kumar

1. This order of mine shall dispose of bail application filed on behalf of accused Meshi alias Ramesh Kumar under Section 437 Cr.P.C. on behalf of applicant/accused Meshi alias Ramesh Kumar in case FIR No.158 dated 07.06.2007 under Sections 324, 323, 341, 506, 148, 149 IPC.

2. Notice of the bail application was given to the respondent/State and record was requisitioned.

3. The FIR in the present case was registered on the statement of complainant Vijay Kumar son of Bhagu Ram, resident of Mohalla Ravidaspur Nakodar with the allegations that on 03.06.2007 the applicant/accused in connivance with his companions has given beatings to the complainant.

4. I have heard learned counsel for applicant/accused, learned APP for the State and have perused the record of the case.

‘BALJINDER KAUR, SDJM, NAKODAR’

5. The learned counsel for applicant/accused argued that accused has been falsely implicated in the present case. The applicant/accused was regularly appearing before the Hon'ble Court and thereafter his previous counsel disclosed that there is no need to appear in this case as the case has been decided and accused could not appear and thereafter he was declared proclaimed offender on 08.01.2009. He further argued that applicant/accused has been arrested in the present case on 05.08.2022 and he is judicial custody since 06.08.2022. He further argued that compromise has already been effected between the complainant the applicant/accused. Moreover, all the co-accused have already been acquitted by the Court of Shri Tarntaran Singh Bindra SDJM Nakodar vide judgment dated 01.03.2012. The alleged recovery has been planted by the police and nothing has been recovered from the accused/applicant. The applicant/accused is no more required for further investigation and the completion of trial will take a long time and as such no useful purpose will be served by keeping the accused/applicant behind the bars. Thus, he prayed that applicant/accused may be released on bail.

6. On the other hand, Ld.APP for the State has opposed the bail application by contending that accused has played vital role in commission of the offence. He has already misused the concession of bail. The accused can tamper with prosecution evidence, if he be released on bail. Lastly, made prayer for dismissal of the bail application.

7. I have given my thoughtful consideration on the rival

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contentions of both the sides. Perusal of the file shows that accused was declared proclaimed offender vide order dated 08.01.2009 and has been arrested by the police on 5.08.2022 and since then he is in custody. He might have have learnt a lesson by now for avoiding the process of law. No purpose will be served by detaining the accused in further custody. I relied upon case law reported **Bhupinder Singh Chhabra Petitioner Vs State of Punjab & another (P&H)**. Hence, bail application stands allowed and accused/applicant Meshi alias Ramesh Kumar is admitted to concession of bail on his furnishing bail bonds in the sum of Rs.50,000/-with one surety in the like amount. Applicant is directed to follow the following conditions, violation of which will make the bail canceled:

1. Accused shall come present on each and every date of hearing for appearance in the Court and for trial of the case
2. Accused shall not leave the jurisdiction of this Country without permission of the Court.
3. Accused shall not try to influence the witnesses of the prosecution or tamper with the evidence.
4. Accused shall not change her/his address without prior intimation to this Court.
5. Accused shall not induce, threat or promise any witness to refrain him/her from deposing in the case during the investigation or trial. Accused

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shall make available herself/himself as and when directed by the Court.

Bonds not furnished at this stage. Papers be tagged with the remand papers.

Pronounced in open court.
18.08.2022

(Baljinder Kaur),PCS
Sub Divisional Judicial Magistrate,
Nakodar (UID No.PB0329)

Swanjan Rehan*