

CNR No: PBPTC10001462022

CIS No: BA/31/2022

State of Punjab Vs. Gurpiar Singh & another

FIR No.04 dated 07.01.2022.

U/S : 452,323,324,506,148,149 of IPC

PS : Sadar Samana, Distt. Patiala

Present:- Sh.NS Dhillon, Advocate for applicants/accused Gurpiar Singh and Lovepreet Singh.
Sh.R.S.Sidhu, APP for the State.

Reply to the bail application not filed.

Arguments heard on the bail application filed on behalf of accused Gurpiar Singh and Lovepreet Singh, wherein it was pleaded that accused are innocent and have been falsely implicated in the present case. They are in judicial custody since 28.01.2022. It is submitted that investigation in this case has already been completed and accused/applicants are no more required for the purpose of investigation and nothing is to be recovered from the accused/applicants in this case. As such, learned counsel for accused/applicant has prayed for release of accused/applicant on bail.

Notice being served, learned APP for the State, has 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 heard 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 and gone through the police record.

Police record perused. Accused were arrested in this case on 26.01.2022 and they are in judicial custody since 28.01.2022. It is evident from the police record that nothing is to be recovered from the accused. The presentation of challan and conclusion of investigation will take its own 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 proved guilty. Moreover, it is rule of criminal law that there should be bail, but not jail. Thus, no useful purpose will be served by keeping the accused behind bars, rather it will be a burden on State Exchequer. As such, the present bail application is hereby allowed and accused are ordered to be released on bail on furnishing bail bonds in the sum of Rs.50,000/- each with one surety each in the like amount. Bail bonds and surety bonds furnished, which are accepted and attested. Release warrants be issued forthwith. Police record returned. Papers be attached with the remand papers/main file.

Date of Order : 04.02.2022.
Varinder Singh, Stenographer-II

(Mamta Kakkar), PCS,
Sub Divisional Judicial Magistrate
Samana. UID No.PB0359.