

IN THE COURT OF SH. SIMRANDEEP SINGH SOHI, PCS
JUDICIAL MAGISTRATE FIRST CLASS, ZIRA.
(UID NO. PB-0550)



Date of institution : 08.02.2021
CIS No. BA31 of 2021.
Date of order : 12.02.2021.

STATE

VERSUS

Sajan son of Sonu, resident of Ward No.4, Kasuri Gatre, Ferozepur
City District Ferozepur.

FIR No. 19 Dated : 02.12.2020
Under Section 457, 380, 411, 120 B of IPC
Police Station Sadar Zira.

Present : Sh. SK Sharma, Advocate, counsel for applicant.
Sh. Amandeep Prinja, APP for the State.

ORDER

Applicant-Sajan son of Sonu, resident of Ward
No.4, Kasuri Gatre, Ferozepur City District Ferozepur has filed
instant bail application for releasing him on the regular bail in the
above noted case alleging that he is in custody since long.

2. Upon notice APP appeared on behalf of the State-respondent. Police record was summoned and perused.
3. The learned counsel for the applicant has argued that applicant-accused is in custody since long. Now nothing is to be recovered from the applicant. Presentation of challan and conclusion of trial can take sufficient time. No useful purpose would be served by keeping applicant behind the bar for the long period. It was prayed that the present bail application be allowed.
4. On other hand, learned APP for the state argued that applicant is habitual offender and prior to this FIR another FIR is registered against the applicant. Serious allegations are levelled against the applicant. It was prayed that present application be dismissed.
5. This court has heard learned counsel for applicant, learned APP for the State and have gone through the record on file.
6. Police record received. Perusal of police record it has been revealed that except this FIR, the following FIR is registered against the applicant.

I FIR No. 153 dated 13.12.2020 under section 380, 457

IPC, Police Station Sadar Zira.

7. In case law titled as **Mani Kantan Versus State of Karnatka 2018 (S.C.C) on line Karnatka 1822 Hon'ble Karnatka High Court** has observed that one of the factor is to be considered in granting bail is antecedents of the accused. If accused is found to be habitual offender, then his bail application can be rejected. This court is of the considered view that applicant is not law abiding citizen and habitual offender having scathe regards of law. On the basis of material on record prima facie petitioner is shown to be involved in other cases. Since the applicant is habitual offender, he does not deserve any leniency. Serious allegations are leveled against the applicant. Keeping in view above said facts and circumstances and antecedents of the accused, the present bail application is declined. This file be attached with the concerned record.

Dated : 12.02.2021

Typed by Rama Nand Stenographer

(Simrandeep Singh Sohi)
Judicial Magistrate Ist Class
Zira.(UID No. PB-0550)