

PBGDA10026402023



Presented on : 02-05-2023
Registered on : 02-05-2023
Decided on : 03-05-2023
Duration : 0 years, 0 months, 1 days

**IN THE COURT OF
Judicial Magistrate - Ist Class
AT Batala, Gurdaspur
(Presided Over by Ms. Reeta Hans)**

BA/270/2023

Present:- Ms. Bindu, Advocate for applicant/accused.
Sh. O.D.S Malhi, APP for the State.

Arguments heard on the bail application moved on behalf of accused/applicant Arashdeep Singh son of Late Bhupinder Singh resident of Dalla, Teshsil Batala, wherein it was pleaded that accused is innocent and has been falsely implicated in the present case. He is in judicial lock-up since 19.01.2023. 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. Perusal of the file reveals that accused is involved in the present FIR for the commission of offence punishable u/s

(Reeta Hans), PCS,
JMJC, Batala, 03.05.2023

457/380/411/201 IPC and he is in custody in this case since 19.01.2023. The challan has already presented in the case and conclusion of trial 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 the rule of criminal law that there should be bail 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 above named is ordered to be released on bail on furnishing bail bonds in the sum of Rs. 25,000/- with one surety in the like amount. Bail bonds and surety bonds not furnished. Papers be attached with the remand papers.

Date of Order : 03.05.2023.
Sukhdev Singh, Stenographer-II

(Reeta Hans), PCS,
Judicial Magistrate Ist Class,
Batala.(UID No. PB0425).