

**IN THE COURT OF NEERAJ GOYAL,
SUB DIVISIONAL JUDICIAL MAGISTRATE / DUTY MAGISTRATE
MALOUT, UID NO. PB0365**

BA/280/2021

State vs. Moni

FIR No. 108 of 15.06.2021,
Under Sections:- 379 and 411 of IPC.
Police Station: City Malout

Present:- Shri Amandeep Singh Nayak, Advocate Counsel for the ap-
plicant / accused **Moni S/o Des Raj**.
Shri H.S Kahlon, APP for the State.

Heard on the bail application moved on behalf of applicant /
accused **Moni S/o Des Raj**. In support of the bail application, it has been
submitted that the applicant / accused has been falsely implicated in the
present case and the applicant / accused is an innocent person. Nothing is
recovered from the accused / applicant. Further, ld. Counsel for applicant /
accused averred that trial will take long time and no useful purpose can
be served by detaining the applicant / accused **Moni S/o Des Raj** in
judicial custody. The applicant / accused **Moni S/o Des Raj** undertakes
to abide by all the terms and conditions which may be imposed by the
Court. Thus, prayed for concession of bail.

On the other hand, the learned APP for the State orally
opposed the bail application and has not filed any written reply. He
submitted that the applicant / accused has committed serious offence, so
he should not be released on bail.

Heard. Record perused. From a careful consideration of the
rival contentions, it is to be stated that the applicant / accused is in
custody in the present case since 02.07.2021. Considering the nature of
the offence and especially the prevailing conditions of threat of spreading
the deadly virus i.e. COVID-19, it is in the fitness of things to grant bail

to the accused. Moreover, in these prevailing conditions, it is necessary to keep accused of such like offences out of jail to prevent congestion in the jails, which are otherwise facing problem of overcrowding, more especially when as per the directions **dated 25.03.2020, 02.05.2020, 31.07.2020, 18.11.2020, 05.02.2021, 23.04.2021 and 10.05.2021 issued by the High Power Committee headed by the Hon'ble Chairperson, Punjab State Legal Services Authority, SAS Nagar, Punjab**, in view of the guidelines issued by the **Hon'ble Supreme Court of India on 23.03.2020 in Suo Motu Writ Petition (Civil) No.1/2020- in RE : Contagion of Covid-19**, exercise of decongesting the jails, by releasing the convicts on parole and under-trials on interim bail, has already been and is still being undertaken in State of Punjab. Further, conclusion of trial will take long time, so a lenient view is taken against the applicant / accused **Moni S/o Des Raj** and further no useful purpose will be served by detaining him in custody during the proceedings of the present case and even otherwise it is not the case of the prosecution that if released on bail, accused / applicant will tamper with the prosecution witnesses.

So, in view of my aforesaid observations, **the present bail application filed on behalf of applicant / accused Moni S/o Des Raj is allowed** and **applicant / accused Moni S/o Des Raj is ordered to be released on bail** on his furnishing bail bonds in the sum of Rs. 40,000/-, with one surety of the like amount, with the conditions that he will not tamper with the prosecution evidence and appear in the court on each and every date of hearing. **Requisite bail bonds and surety bonds have not been furnished.**

Bail application stands disposed off. Papers be tagged with relevant case FIR.

Date of Order: 08.07.2021
(Yadwinder Singh, Steno-III)

(Neeraj Goyal)
SDJM/Malout
UID No. PB0365

“Dictated Directly”

Neeraj Goyal, PCS, SDJM, Malout, 08.07.2021.