

CNR No.PBJLA1-003430-2018
Diwan Singh vs State

BA/249/2018

FIR No.161 dated 24.12.2018 under Section 61 of Punjab Excise Act, PS:
Mehatpur, District Jalandhar

Present: Shri SS Sandhu, Advocate for applicant-accused
Ms. Harpreet Kaur Sidhu, APP for State

File put up before me being Duty Magistrate during winter vacations. Learned APP for State has not filed reply to the bail application, however she has orally contested it. Arguments of both parties have been heard and file has been carefully perused. Perusal of file reveals that accused is in custody since 24.12.2018. No recovery is to be effected from accused. Even otherwise, it is a cardinal principle of law that 'bail is a rule and jail is an exception' and in my view grounds are not made out to invoke the exception. Accordingly, accused Diwan Singh is admitted to bail on his furnishing bail bonds in the sum of Rs.60,000/- with one surety of like amount on the condition that:

- (a) He shall attend the Court on each and every date of hearing;
- (b) He shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and
- (c) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Bail/surety bonds have been furnished, which have been accepted and attested. Ahlmad is directed to issue necessary release order immediately. Papers be annexed with the main file. File be sent to the Court concerned immediately.

Pronounced:
28.12.2018
Parveen Kumar*

(Hasan Deep Singh Bajwa)
Judicial Magistrate Ist Class,
Nakodar (UID No. PB0387)
(Duty)