

**IN THE COURT OF MS. RANA KANWAR DEEP KAUR,
VACATIONS JUDGE-CUM-ADDL. SESSIONS JUDGE,
JALANDHAR (PB00223)**

CIS No.	BA/2383/2022
CNR No.	PBJL010070752022
Date of Instt.	18.06.2022
Date of Order	29.06.2022

Ranjodh Singh, aged about 31 years son of Shri Askar, resident of Village Wadala Bangar, Tehsil Batala, District Gurdaspur.

....Applicant/accused

Versus

State of Punjab

FIR No. 65 dated 21.03.2013
Under Sections 379/411/177 of IPC
Police Station Division No.7, Jalandhar.

[Second Application for Bail U/s 439 of Cr.P.C.]

Present: Shri Harsh Taneja, Advocate, Counsel for applicant/
accused.
Shri Maneet Duggal, Addl. PP for the State

BAIL ORDER:-

1. Applicant/accused Ranjodh Singh during summer vacations has filed this second bail application under Section 439 Cr.P.C in a case bearing FIR No. 65 dated 21.03.2013 under Sections 379/411/177 of IPC, registered at Police Station Division No.7, Jalandhar.

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Dated 29.06.2022

2. Upon notice, Additional Public Prosecutor appeared on behalf of State.

ARGUMENTS OF LD.COUNSEL FOR APPLICANT/ACCUSED:

3. The learned counsel for the applicant/accused has submitted the first bail application of applicant/accused was dismissed as withdrawn. The applicant/accused has been falsely implicated in this case. He was not served any notice and he has been wrongly declared proclaimed offender by the Court of Ms.Navjit Pal Kaur, the then JMJC, Jalandhar vide order dated 25.01.2018. Applicant/accused was produced in the Court on 22.04.2022 in pursuance of his production warrants and since then he is in custody in this case. Applicant/accused undertakes to abide by the conditions to be imposed by the Court if he is released on bail and prayed that his bail application be allowed.

ARGUMENTS OF LD. ADDL. PUBLIC PROSECUTOR:

4. On the other hand, while controverting the contentions, the learned Addl. P.P for the State has vehemently argued that since applicant/accused had been declared proclaimed offender, so, he is not entitled for the concession of bail and prayed for dismissal of bail application in hand.

5. **I have heard the learned counsel for applicant/accused and gone through the record of this case very minutely.**

6. Record of learned trial Court has been received. Perusal of file shows that the present FIR was registered on 21.03.2013, on which date applicant/accused was arrested when stolen motorcycle was recovered from him during nakabandi laid on the basis of secret information and on his arrest, applicant/accused had told his name as Navjit Singh son of Manjinder Singh r/o 26 Pehalwan Market, Opp.Bus Adda Tarn Taran. However, during investigation when his said address was not verified, so, he suffered disclosure statement to the effect that he has wrongly disclosed his name as Navjit Singh whereas his correct name is Ranjodh Singh alias Jodha son of Askar Singh r/o Wadala Bangar, Police Station Kalanaur, District Gurdaspur and accordingly vide Rapat No.15 dated 23.03.2013 offence u/s 177 of IPC was added. Perusal of file further shows that applicant/accused was arrested on 21.03.2013 and as per his bail bonds/surety bonds lying on the file, he was released on bail on 09.04.2013. Perusal of record further shows that in the zimini orders, accused is shown in custody in some other case and not being produced in this case and his production warrants were issued again and again and lastly a report dated 10.08.2017 was received from the Superintendent Jail that accused is on bail in this case and accordingly, vide order dated 11.09.2017, his bail bonds/surety bonds were cancelled and forfeited to the State and he was ordered to be summoned throughailable warrants of arrest and thereafter vide order dated 12.10.2017 bail order of accused

was also cancelled and he was ordered to be summoned through non-bailable warrants of arrest and eventually he was declared proclaimed offender vide order dated 25.01.2018 by the Court of Ms.Navjit Pal Kaur, the then JMJC, Jalandhar and file was consigned to the record room u/s 299 Cr.P.C. Perusal of record further shows that the bail application u/s 438 Cr.P.C. filed by applicant/accused was also dismissed by the Court of Shri Yukti Goyal, Ld.ASJ, Jalandhar vide order dated 23.11.2021 and even thereafter accused did not surrender before the Court. Perusal of trial Court record further shows that on behalf of applicant/accused CRM No.9259/2022 was filed on 08.04.2022 for issuance of production warrants of accused being confined in jail in some other case and accordingly, in pursuance of production warrants issued by the Court, he was produced in custody in this case on 22.04.2022 and was taken into custody in this case and since then he is in custody.

7. No explanation has come on record on the part of accused as to why he was keeping himself away from the law of the land since after his release on bail in this case and even after dismissal of his anticipatory bail on 23.11.2021 he did not chose to surrender before the Court and his presence is secured lateron through production warrants on an application moved by his counsel when he was arrested in some other case and was confined in jail. If applicant/accused is released on bail, he may again abscond and may again cause delay in the process of law of the land. So,

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in the light of above said facts and circumstances and taking into consideration the nature and gravity of the offence and taking into consideration the fact that the applicant/accused had previously been absconding and had been declared **proclaimed offender**, no ground is made out to release him on regular bail. Hence, the bail application in hand is dismissed.

8. However, any observation made above while disposing off this bail application shall not be considered an opinion of the undersigned on the merits of the case. Trial Court record be returned immediately along with copy of this order. Further this bail application is filed during summer vacations, so, same be put up before the learned Sessions Judge, Jalandhar on 04.07.2022 for entrustment purpose.

Pronounced in open court
Dt.29.06.2022
Onkar Chand JW(SG)

(Rana Kanwar Deep Kaur),
Vacations Judge-cum-
Addl. Sessions Judge, Jalandhar,
(UID No. PB00223)

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Vacations Judge-cum-ASJ/Jalandhar
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