

State Vs. Manav etc

BA-751-2025

FIR No. 52 dated 10.05.2025
U/s 126(2), 115(2), 190, 191(3) of BNS, 2023
And Section 303(2) of BNS added lateron.
Police Station Khuian Sarwar,
Abohar

Present:- Sh. Vinod Kumar, Ld. APP for the State.
Sh. Arun Munjal Advocate for applicants/accused.

Heard on the bail application filed on behalf of applicant-accused Chander Shekhar and Manav, wherein Ld. Counsel for the applicant/accused has submitted that the false FIR has been lodged against Applicant/accused and the accused are in custody of the police since 11.07.2025. It is further averred that no offence under section 126(2),115(2), 190, 191(2) of Bhartiya Nyaya Sanhita (BNS)2023 and section 303(2) of BNS is made out against the accused/applicant as per the contents of the FIR and the false case has been planted by the complainant Radha Rani against the accused applicant on the basis of Concocted facts and the complainant has no concern either with ownership or with the possession of the suit property in any capacity at any time. It is further averred that the Applicant/accused have already filed civil suit for permanent injunction as filed the Suit For Permanent Injunction titled as Chander Shekhar vs Radha Rani bearing Case no CS/246/2016 instituted on 04/04/2016 against the Complainant for restraining the defendants from interfering into the peaceful

possession of the Chander Shekhar over the suit Land measuring 167 kanal 11 marals, comprised in Khewat No 388/342,389/343 as per the jamabandi for the year 2010-11 situated at Village Diwan Khera, Tehsil Abohar, District Fazilka and further restraining the defendants from damaging or destroying the crop standing in the suit land illegally and forcibly which was decreed in favour of the applicant Chander Shekhar by the Court of Madam Rubina Jossan Civil Judge Abohar vide order dated 27.01.2023 and further the complainant is not in possession of the suit property in any capacity and khasra girdawri case filed the complainant before the court of Naib Tehsildar Khuian Sarwar was also dismissed vide order dated 11.12.2016. It is further averred that Radha Rani sister of the accused in order to take the forcible possession over the suit land in connivance with the witnesses, has malafidely lodged the false FIR of committing the offence of theft and causing injury has been lodged against the accused/applicant. It is further averred that the accused in judicial custody and challan has not been presented in the above noted case in this Court and there is no useful purpose to put the accused behind the bar and there is no apprehension of absconding of the accused/applicants or tampering with the prosecution evidence. Hence, he prayed to release the accused/applicant on bail.

2. Notice of bail application was given to the State through Id. APP. Though APP for the State has not filed any reply to the application, but he has opposed the bail application orally.

3. Report of Ahlmad was called. Ahlmad has reported that no bail

application of accused Chander Shekhar and Manav is pending before or decided by any Ld. Appellate Court as per query made on CIS system.

4. Challan has not been presented in the present case and no useful purpose will be served by keeping the accused/applicants behind bars. To my view, at this stage, there is nothing to suggest that accused will run away from the Criminal Justice System. Further the allegations and its denial is a matter of evidence. The conclusion of trial will take time. Bail is the rule and jail exception, except where there are circumstances suggestive of fleeing of accused from justice or thwarting. This view of mine got support from case law titled as State of Rajasthan, Jaipur Versus Balchand @ Baliay A.I.R. 1977(SC) 2447. Accordingly, accused/applicants are admitted to bail subject to the following conditions.

1. Accused/applicant shall furnish bail bonds in the sum of Rs.50,000/- each with one surety in the like amount.
2. The accused/applicants shall attend the Court on each and every date of hearing and shall comply with other the conditions of the bond executed.
3. The accused/applicants shall not commit any offence similar to the offence of which he is accused or suspect of the commission of which he is suspected.
4. The accused/applicants 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 temper with the evidence.

5. Accused/applicants will not leave the country without prior permission of the Court.
6. Accused/applicants and surety shall be bound to intimate the Court as and when there is any change in his addresses(s).

5. Bail bonds of accused/applicant not furnished. Papers be attached with the main file.

Date of Order: 16.07.2025

(Chetan Sharma), PCS,
Judicial Magistrate Ist Class,
Abohar
UID No. PB0484

(Rajwinder Kaur Stenographer-II)

State Vs. Paramjeet Singh @ Pamma

BA-236-2025

FIR No. 0091 dated 25.06.2025
U/s 61/1/14 of Excise Act
Police Station Khuian Sarwar,
Abohar

Present:- Sh. Vinod Kumar, Ld. APP for the State.
Sh. Hans Raj Bishnoi Advocate for applicant/accused.

File put today on an application moved by applicant through his counsel for furnishing bail bonds/surety bonds. Bail bonds/surety bonds furnished which have been accepted and attested. Release warrants of accused be issued forthwith. Papers be attached with the remand papers.

Date of Order: 03.07.2025 Sd/- (Chetan Sharma), PCS,
Judicial Magistrate Ist Class,
Abohar
UID No. PB0484
(Rajwinder Kaur Stenographer-II)