

**Sanjiv Kumar & another Vs. State of Punjab**

Present: Shri Navin Gupta, Advocate, counsel for the accused/  
applicants.  
Shri Amanpreet Singh Sandhu, Public Prosecutor for the  
State with SI Pargat Singh.

1. Accused/applicants Sanjiv Kumar son of Surinder Kumar and Abhishek son of Ashwani Kumar have sought regular bail in case arising out of FIR No. 124 dated 24.07.2023 under Section 420 IPC and Section 13-A/3/67 of Gambling Act, Police Station City Batala.

2. Heard. As per prosecution allegations, accused/applicants and their co-accused had allegedly been selling their private lotteries. When the police conducted a raid, the police had nabbed the applicants on the spot. The police allegedly recovered one register, two pens, two slips and currency notes of Rs.1080/- from accused/applicant Sanjiv Kumar. Further, the police recovered two pens, three slips, two mobile phones and currency notes of Rs.620/- from accused/applicant Abhishek. Both of them are in custody since 24.07.2023 and have already been remanded to judicial custody. No doubt, they have been involved in a number of other cases. However, it is debatable as to if provisions of Section 420 IPC would be attracted to this case or not. Offence under Section 13-A of the Gambling Act is bailable. Moreover, presentation of challan and disposal of the case will take time. No useful purpose would be served by further detention of the accused/applicants. Under these circumstances, the instant application is allowed and the accused/applicants are ordered to be released on bail on their furnishing of bail bonds in the sum of

**(Rajinder Aggarwal)**  
**Sessions Judge, Gurdaspur. 08.08.2023.**

Rs.20,000/- each with one surety in the like amount to the satisfaction of  
Ilaqa/Duty Magistrate, but they shall remain bound by the following  
conditions:-

1. that the accused-applicants shall continue to cooperate with the  
investigating agency;
2. that the accused/applicants shall not leave the country without  
the prior permission of the Ilaqa Magistrate till presentation of  
challan and thereafter without the permission of the trial Court;
3. that 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;
4. that the accused-applicants shall not involve themselves in the  
commission of any offence of similar nature; and
5. that the accused-applicants shall regularly attend the hearings  
before the trial Court.

3. In case the accused/applicants misuse the concession of bail  
by absenting from the proceedings, the learned trial Court shall be at  
liberty to cancel this bail order.

4. A copy of this order be sent to the Court concerned. The  
instant file be consigned to the Record Room.

Pronounced:  
Dated: 08.08.2023.

*Davinder Singh, EA*

(Rajinder Aggarwal)  
Sessions Judge, Gurdaspur.  
(UID No. PB00048)

(Rajinder Aggarwal)  
Sessions Judge, Gurdaspur. 08.08.2023.