

**IN THE COURT OF MS. GURDARSHAN KAUR DHALIWAL,
ADDITIONAL SESSIONS JUDGE, FAZILKA, (UID:PB0146).**

Bail application No.1828 of 2020

CIS No. BA-1001/2020

CNR No.PBFZC0-002200-2020

Date of Order: 6.6.2020

Amarveer Singh @ Lalli, aged 30 years son of Rupinder Singh Cheema, resident of Basso Wal, P.S. Talwandi Chaudhrian, District Kapurthala.

--Applicant/accused

Versus

State of Punjab.

--Respondent

FIR No.74 dated 19.7.2012

Under Section: 307/392 of IPC & 25 of Arms Act

Police Station: City-II Abohar, District Fazilka.

Application for grant of bail under Section 439 Cr.P.C.

Present: Sh. Sarbjeet Singh, Advocate for the applicant/accused.
Sh. Yogesh Kasrija, Addl. PP for the State.

ORDER

This order of mine shall dispose of bail application moved U/s 439 Cr.P.C by the applicant/accused ***Amarveer Singh @ Lalli*** in the above mentioned FIR.

2. Notice of bail application was issued to the State. Main file also requisitioned.

3. Learned counsel for the applicant/accused has contended that no offence is made out against the applicant/accused and the above-noted FIR is totally false and made up story. The applicant/accused was absented on 28.3.2018 and declared Proclaimed Offender and then production warrants issued by the court on 1.5.2019. The applicant/accused has not committed offence as alleged in the FIR. The applicant/accused is in judicial custody. The applicant/accused undertakes to obey the directions of this court. In the end, it is prayed that applicant/accused may kindly be released on regular bail.

4. On the other hand, learned Additional Public Prosecutor has vehemently opposed the bail application on the ground of gravity of offence and submitted that applicant/accused

being a P.O. does not deserve the discretionary relief of bail and as such present bail may kindly be dismissed.

5. I have heard learned counsel for applicant/accused, learned Addl. PP for the State and have also gone through the record.

6. The perusal of the file goes to reveal that in the case in hand, the applicant/accused was granted bail under Section 167 (2) Cr.P.C. vide order dated 19.11.2012 passed by the court of Sh. Rajwinder Singh, the then learned SDJM, Abohar. Thereafter, challan against the applicant/accused and his co-accused was presented in the court. As per record on 28.3.2018, the applicant/accused became absent from the court proceedings. Thereafter, he was declared as Proclaimed Offender vide order dated 5.3.2019. The careful perusal of the file goes to reveal that on 1.5.2019, an application for issuance of production warrants of applicant/accused Amarveer Singh @ Lalli was filed by Sh. Sarbjeet Singh, Advocate. Accordingly his production warrants were issued and in pursuance of production warrants issued against him, the applicant/accused was produced in the court on 2.8.2019. Although, on 2.8.2019 no formal order of taking the

applicant/accused into custody in this case and sending him to the judicial lock-up was passed by the court i.e. by my learned predecessor but the fact remains that applicant/accused Amarveer Singh @ Lalli is undergoing custody in this case right from 2.8.2019. The signatures of applicant/accused are available on the margin of the order sheet against the order dated 2.8.2019. No doubt the applicant/accused is Proclaimed Offender but keeping in view the facts and circumstances of the case, that he is undergoing custody w.e.f. 2.8.2019 and since then, a considerable period of more than 10 months has elapsed. I am of the considered view that this is a sufficient lesson for him to refrain from becoming absent from the court without intimation to this court in future. Moreso, the case is still pending at the stage of framing of charge sheet against the accused of this case. So, the conclusion of trial is likely to take considerable time. In my considered view, no useful purpose shall be served by detaining the applicant/accused behind the bars for indefinite period. Rather, it will be a burden on the State exchequer. Therefore, in the interest of justice and also due to situation prevailing Covid-19, the present bail application filed by applicant/accused ***Amarveer Singh @ Lalli*** stands allowed and

he is ordered to be released on bail on his furnishing personal bonds in the sum of Rs.50,000/- to the satisfaction of this Court, with the conditions that:-

1. He shall appear in the Court on each and every date of hearing.
2. He shall not leave India without prior permission of the Court.
3. He shall not tamper with the evidence of prosecution.

Bail application stands disposed of accordingly. The applicant/accused is however directed to furnish the regular surety bonds in the sum as ordered above before this court on 4.7.2020 the date already fixed in the main trial. Bail application be attached with the main file.

Pronounced in open Court.
Dt. 6.6.2020
Deepak Kumar
Stenographer Gr.II

Sd/-
(Gurdarshan Kaur Dhaliwal)
Addl. Sessions Judge
Fazlika/UID-PB-0146

Amarveer Singh @ Lalli Vs. State of Punjab
BA-1001/2020

Present: Sh. Sarbjeet Singh, Advocate for the applicant/accused.
Sh. Yogesh Kasrija, Addl. PP for the State.

Main file produced. Arguments heard. Vide my separate detailed order of even date, the present bail application has been allowed. The applicant/accused is however directed to furnish the regular surety bonds in the sum as ordered above before this court on 4.7.2020 the date already fixed in the main trial. Bail application be attached with the main file.

Pronounced in open Court.
Dt. 6.6.2020
Deepak Kumar
Stenographer Gr.II

Sd/-
(Gurdarshan Kaur Dhaliwal)
Addl. Sessions Judge
Fazlika/UID-PB-0146