

RAVI KUMAR ALIAS RAVI VS PUNJAB STATE etc.

Present: Sh. GOURAV KAUSHAL Advocate for the plaintiff.
Sh. Ricky Chodha, Ld. APP for the state.

1. Heard on the bail application moved by the applicant/accused Ravi Kumar @ Ravi in a case F.I.R. No.23 dated 07.01.2024 Under section 379, 411 IPC registered at Police Station Bilga. District Jalandhar. The present FIR was registered against the accused on the complaint of the complainant that the accused stole 1 quintal iron (sariya) belonging to the complainant and consequently he was arrested in the present case.

2. Learned counsel for the applicant/accused has argued that applicant/accused has not committed any offence. The applicant/accused is in judicial custody. Alleged recovery has already been effected from the accused and nothing is to be recovered from him. Applicant/accused is no more required for further investigation. It is further argued that applicant/accused undertakes to appear in the court on each and every date of hearing. Ld. counsel for the accused has requested that bail may kindly be granted to the applicant/accused and the present bail application be allowed.

3. On the other hand, learned APP for the State has argued that the bail could not be granted to the accused as he has committed serious offences.

4. This Court has heard the learned APP for the State as well as learned counsel for the accused and has also scrutinized the record available on the file. From the perusal of the record, it is evident that the present F.I.R. has been registered against the accused for the offence under Section 379, 411 IPC. Presentation of chargesheet will take time. Conclusion of trial will also take sufficient time. The accused is only 24 years of age and prolonged incarceration would be detrimental to his prospects of rehabilitation. Moreover no previous criminal antecedents have been brought on record by the prosecution. Hence, no useful purpose would be served by keeping the accused in jail for an indefinite period.

Therefore, keeping in view the facts and circumstances of the present case, age of the accused, a criminal justice system that gives primacy to presumption of innocence and the cardinal rule that bail is the rule and jail an exception, the present regular bail application is allowed and accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.40,000/- with one surety in the like amount, subject to the following conditions:-

- (i) That accused shall not indulge in the offence of similar nature.
- (ii) That accused shall not induce, give threat, pressure to the prosecution witness.
- (iii) That accused shall come present on each date of hearing.
- (iv) That the accused shall not leave country without permission of the Court.

5. Bail bonds and surety bonds not furnished. Copy of the said order be forwarded to Jail Superintendent concerned immediately. Papers be attached with the remand papers/other papers.

Pronounced in open Court.

Date of Order: 18-01-2024
kajal

(Sukhmandeep Singh)
Judicial Magistrate First Class
Phillaur/UID NO . PB00642