

State vs. Sandeep Singh

BA-106-2023

CNR No.PBMNA10005542023

Present : Sh. T.C. Singla, Advocate counsel for applicant.
Ld. APP for the State.

Record has been received and attached.

Argument have been heard upon the application filed for bail on behalf of applicant-accused Sandeep Singh. It is averred in the application that no other bail application is pending before any of the Court. It is further averred that accused has forgotten the date. He was falsely implicated in this case and he is innocent person. It is further averred that he will appear each and every date of hearing. The application be allowed.

Further, as per report of Ahlmad, no bail application is pending before any Hon'ble Punjab & Haryana High Court or any other Court.

On the other hand, the learned APP for the State filed no reply, rather orally opposed the contents and has prayed for dismissal thereof.

Heard. The perusal of the file shows that the present FIR has been registered against the accused for the offence under sections 188, 269 and Section 13 of Gambling Act on the allegations that on 17.07.2020, HC Balkar Singh and other police officials, on a private vehicle proceeded for police patrolling and checking of bad elements/vehicles towards villages Dialpura, Khatriwala and area of police station etc. and when the police party was present at bus stand village Dialpura, IO received a secret information to the effect that Nek Singh son of Niranjana Singh, Shamsher Singh son of Gholu Singh, Sandeep Singh son of Darshan Singh, Nazar Singh son of Juma Singh and

Jogi Singh son of Buta Singh are playing gambling together on cards. Persons can be arrested with all the money including cards. If raid is conducted they can be apprehended red handed. Accused were apprehended by the police party as they were violating the order no. 17071-17101 dated 13.07.2020 passed by Deputy Commissioner, Mansa, regarding the Covid-19. Therefore, Nek Singh, Shamsheer Singh, Sandeep Singh, Nazar Singh and Jogi Singh were found committing disobedience of said order passed by Deputy Commissioner, Mansa with regard to Covid-19 restrictions, without any valid ground with knowledge that such disobedience will cause harm to human life, health or safety.

The perusal of the file shows that accused Sandeep Singh was admitted to bail on 16.03.2021. However, on 17.12.2022, 20.01.2023, 09.03.2023 and 24.04.2023, he remained absent without any intimation and, therefore, bail granted to him was cancelled and bonds furnished by him and his surety were cancelled and forfeited to the State and his non bailable warrant of arrest were issued.

On the other hand, learned counsel for accused-applicant pleaded that he is innocent and applicant-accused could not attend the Court because of his father's treatment and care. To my view at this stage, applicant-accused stated in the application that he will appear in the Court as and when called for. Further the said allegations and its denial is matter of evidence. Therefore, by considering the allegations against the accused, I find that no useful purpose would be served by keeping the accused behind the bars for more period especially when conclusion of trial may take reasonably long time and no custodial interrogation is required. Further, to keep him (accused) behind the bars for further more time will

may also cause unnecessarily financial burden upon the Ex-chequer of the State. Thus, without commenting upon the merits of case, the accused Sandeep Singh is hereby admitted on bail for the offence under sections 188, 269 and Section 13 of Gambling Act subject to furnishing bail bonds and surety bonds for an amount of Rs.50,000/- with a direction to appear in the Court on each and every date of hearing whenever directed by the Court.

Necessary bail bonds and surety bonds have been furnished, which are accepted and attested. Release warrants be issued as per rules. Application stands disposed of accordingly. Papers be tagged with main file.

Date of Order:27.04.2023
Shelly

Amarjeet Singh, PCS
JMIC, Budhlada,
UID No.PB 0480