

BA 107-2023 State Versus Rashpal Singh
CNR No.PBFZAI-001093-2023

FIR No. 82 dated 01.06.2022
under sections 457, 380 IPC
PS Makhu.

Present : Sh. Amandeep Prinja, APP for the State.
Sh. RP Singh, Advocate, counsel for applicant-
accused Rashpal Singh.

Heard on bail application moved by applicant/accused Rashpal Singh through his counsel. It is averred in the application that accused-applicant was arrested by the police on 22.05.2023 and since then, he is in judicial custody. Accused has been falsely implicated in the above said case and accused never committed any alleged offence. It is further averred in the application that accused is no longer required by the police for further investigation. The trail of case will take a long time. There is no useful purpose will be served by detaining the accused in custody. Prayer is made to allow the application.

Notice of the application is given to Learned APP for the State. No reply has been filed. Police record has been received. As per police record no other FIR has been registered against accused-applicant.

I have heard learned counsel for the parties and have gone through the record on file with their kind assistance.

Record perused. Perusal of record reveals that accused arrested by the police on 20.05.2023 and produced in the Court on 22.05.2023. He was sent to judicial custody till 05.06.2023 and since then he is in judicial custody. Perusal of record reveals that present FIR was registered against unknown person. Recovery of case property has already been effected. It means that accused is not further required in the investigation. This court is of the considered opinion that no useful purpose would be served by keeping the accused behind the bars for an

indefinite period of time, rather this will be a burden on state exchequer. Presentation of challan and thereafter conclusion of trial may take considerable time. Nothing on record which shows that accused-applicant will flee away from the trial or temper with the evidence. As per record applicant-accused has permanent address and residential house. It is general principle of law that bail is the rule and jail is an exception. Keeping in view of above said facts and circumstances, bail application of the above said accused is hereby allowed and accused is directed to furnish bail bonds in sum of Rs.15,000/- with one surety in the like amount.

Bail bonds and surety bonds not furnished. Papers be attached with Remand Paper.

Dated : 07.06.2023
Sunny Arora
Stenographer-II

(Jagwinder Singh), PCS,
Judicial Magistrate Ist Class
Zira. (UID No. PB0461)