

**In the court of Shri Hira Singh Gill
Addl. Sessions Judge, Jalandhar.
UID No (PB0153)**

B.A. No.1075/2019
Filing No.4651/2019
CNR No.PBJL01-009801-2019
Date of Filing:14.3.2019
Date of Order: 27.3.2019.

Bachittar Singh @ Nikka @ Khatra aged 23 years son of Anoop Singh,
resident of village Dherian, Tehsil Nakodar District, Jalandhar.

..Accused/applicant.

Versus

State of Punjab.

... respondent.

FIR No.178 Dated 28.8.2016
U/S 354-A, 34 IPC
P.S. Sadar Nakodar, Jalandhar.

[Application for Bail U/s 439 of Cr.P.C.]

Present: Shri Kuldip Bhatti, Adv. Counsel for accused/applicant.
Mrs. Meetu Sheanhmar, Addl. PP for the State.

ORDER:

1. The instant bail application has been filed under section 439 CrPc, praying for grant of regular bail to the accused/applicant in case FIR No.178 dated 28.8.2016 under section 354-A, 34 IPC, registered at police station Sadar Nakodar, Jalandhar.

2. The accused/applicant has been facing the charge for the offence under section 354-A IPC read with section 34 IPC. Previously,

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the accused/applicant was declared proclaimed person, now he has been in custody since 5.12.2018.

3. The case of the applicant/ accused is that offence in question was bailable one. Co-accused had already been acquitted and accused/applicant has been falsely implicated in this case.

4. However, the bail application was contested by learned Addl. PP for the State, but it is not disputed that offence in question is bailable one. The co-accused had already been acquitted.

5. I have considered the rival submissions.

6. In this case, supplementary challan is yet to be presented. The conclusion of trial will take its own time, no useful purpose would be served by keeping the accused/applicant in custody for an indefinite period. In view of aforesaid factual circumstances, the bail application of accused/applicant succeeds and he is directed to be released on bail on furnishing the bail bonds and surety bonds in the sum of ₹70,000/- with one surety of the like amount to the satisfaction of learned Illaqa Magistrate/ Duty Magistrate, subject to following conditions:

- a) That he will not tamper with the prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any of the person acquainted with the facts of the case, dissuading them from disclosing the same to the court/ investigating agency; and
- b) That he will not leave the limits of India without prior permission of the court.
- c) That he will come present in trial court on each and every date of hearing subject to exemption granted by the trial court.
- d) The passport would also be deposited at the time of

furnishing the bail bonds/surety bonds.

d) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.

7. Record of learned trial court be returned along with copy of this order. Bail application papers be consigned to Record Room.

Pronounced in open court.
Dt 27.3.2019.

(Hira Singh Gill)
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UID No (PB0153)

Sukhwinder Singh

Hira Singh Gill
Addl. Sessions Judge, Jalandhar.

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Present: Shri Kuldip Bhatti, Adv. Counsel for accused/applicant.
Mrs. Meetu Sheanhmar, Addl.PP for the State.

Arguments heard. Vide my separate detailed order of even, date, the bail application has been allowed as detailed therein. Record of learned trial court be returned along with copy of this order. Bail application papers be consigned to Record Room.

Pronounced in open court.
Dt.27.3.2019.

(Hira Singh Gill)
Addl. Sessions Judge,
Jalandhar.UID No (PB0153)

Sukhwinder Singh

Hira Singh Gill
Addl. Sessions Judge, Jalandhar.