

CNR No: PBPTC10009622022 CIS No: BA/110/2022

110 of 2022 State of Punjab Vs. Nihal Singh

FIR No.09 dated 01.01.2022.

U/S : 457,380, 411 of IPC

PS : City Samana, Distt. Patiala

Present:- Sh.V.K Bansal, Advocate for applicant/accused.
Sh.R.S.Sidhu, APP for the State.

Police record produced.

Arguments heard on the bail application filed on behalf of accused Nihal Singh, wherein it is pleaded that accused/applicant is in custody in this case since 19.01.2022 and investigation of this case has been completed qua accused/applicant. He is no more required for any purpose and nothing is to be recovered from him. As such, learned counsel for accused/applicant has prayed for release of accused/applicant on bail.

Notice being served, learned APP for the State, has opposed the bail application on the ground that accused has committed serious offence. As such, prayer for dismissal of the present bail application has been made.

I have heard the contradictory versions of the contesting parties and have deliberated over the arguments advanced in the light of documents, peculiar facts and circumstances and submissions made and gone through the police record.

Police record perused. Accused was arrested in this case on 18.01.2022 and he is in judicial custody since 19.01.2022. It is evident from the police record that recovery in this case has already been effected and even the co-accused of the present accused is already on bail in this case. The presentation of challan and conclusion of investigation will take its own time. Criminality of accused if any is a matter of trial. It is cardinal principle of criminal jurisprudence that accused is presumed to be innocent, until proved guilty. Moreover, it is rule of criminal law that there should be bail, but not jail. Thus, no useful purpose will be served by keeping the accused behind bars, rather it will be a burden on State Exchequer. As such, the present bail application is hereby allowed and accused is ordered to be released on bail on furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount. Bail bonds and surety bonds not furnished. Police record returned. Papers be attached with the remand papers/main file.

Date of Order : 12.04.2022
Baljinder Kumar, Stenographer-II

(Mamta Kakkar), PCS,
Sub Divisional Judicial Magistrate
Samana. UID No.PB0359.

