

**In the Court of Ms. Mehak Sabharwal,
Judicial Magistrate First Class-1, Phagwara**

CNR No. PBKPA10001912023



Case No. BA/11/2023

Presented on : 27-01-2023

Registered on : 27-01-2023

Decided on : 01-02-2023

Surinder Singh Vs. State of Punjab

Present: Ms. Harpreet Kaur Advocate counsel for applicant
Surinder Singh.
Sh. Arvinder Singh, Ld. APP for the State

ORDER

1. This order of mine shall dispose of a bail application filed on behalf of accused/applicant Surinder Singh.

2. In the application it is stated that applicant/accused has been falsely implicated in the FIR no.05 of 26.01.2023, u/s 336 of IPC & 11 of Prevention of cruelty Animals Act & 27 of Arms Act, PS Rawalpindi, Phagwara and he is in custody since 27.01.2023. It is further stated that the allegations leveled against the accused/applicant are totally false and accused was never involved in the commission of any such offence and he is innocent. It is stated that no recovery has been effected from the accused and he is not required in custody or any kind of custodial interrogation. So accused be released on bail.

3. Notice of the bail application was given to the Ld. APP for the State who has filed written reply and stated that

accused does not grant the concession of bail as used weapon i.e. Donali and used bullet and 18 live rounds were recovered from the accused. So, he should not be released on bail.

4. I have heard Ms. Harpreet Kaur, Advocate counsel for accused/applicant who argued that accused be released on bail as he is innocent and Ld. APP has argued that he should not be released on bail.

5. Heard and considered and gone through the file. A perusal of FIR reveals that accused/applicant had given double gun shot on a stray dog, who was barking in the street. I am of the considered view that accused/applicant is already behind the bars since 27.01.2023 and in view of the allegations for which the FIR is registered, recovery, if any, must have affected now and accordingly no useful purpose shall solve by keeping the accused behind the bars. Accordingly, present bail application is allowed with direction to furnish bail bonds along with one surety in the sum of ₹30,000/- each. Bail bonds and surety bonds not furnished, papers be tagged with the main file/remand paper.

Pronounced in open Court:

Dated:01.02.2023

(Rahul)

(Mehak Sabharwal)
Judicial Magistrate 1st class,
Phagwara. (UID PB-00385)