

**In the Court of Shri Harbans Singh Lekhi,
Additional Sessions Judge, Amritsar.
(Unique Identification No. PB0113)**

Case Type	BA	
Filing No.	BA/8313/2018	Date: 04.07.2018
Case No.	212/2018	Date: 05.07.2018
CNR No.	PBAS010083132018	
CIS Number	BA/6741/2018	
Date of Order	13.07.2018-.	

State of Punjab.

Versus

Gurpreet Singh son of Harbhajan Singh, resident of village Bhojjian,
District Tarn Taran.

.....Applicant/accused.

FIR No. 301/2014

Under Sections 420, 467, 468, 471, 120-B of
IPC

Police Station: Civil Lines, Amritsar.

Ist Bail application under Section 438 of Cr.P.C.

Present: Shri Harsimranjit Singh, Counsel for the applicant-accused.
Shri Adarsh Mahajan, Addl. PP for the State.

ORDER

This order of mine shall dispose of bail application under
Section 438 of Cr.P.C., moved by applicant Gurpreet Singh, named

above in case FIR mentioned above.

2. Notice of the bail application was issued to the State and learned Addl. PP for the State appeared and contested the same. Lower Court was requisitioned and received.

3. I have heard the learned Counsel for the applicant-accused, learned Addl. PP for the State and have carefully gone through the record.

4. Learned Counsel for applicant-accused has argued that applicant-accused is innocent and has not committed any offence. A false FIR has been registered against her. He was found innocent by the police during enquiry and was not challaned and now, he has been wrongly summoned by the trial Court on an application under Section 319 Cr.P.C. filed by prosecution. He argued that applicant-accused is ready to face the trial and undertakes to abide by all the terms and conditions to be imposed by the Court while releasing him on bail and prayed that applicant-accused be granted bail.

5. On the other hand, learned Addl. PP for the State opposed the bail application and contended that though applicant-accused was declared innocent by the police during enquiry and was not challaned, but now, he has been rightly summoned by the trial Court on an

application under Section 319 Cr.P.C. filed by the prosecution. He argued that applicant-accused is not entitled to concession of bail and prayed that bail application be dismissed.

6. I have given thoughtful consideration to the arguments raised by learned Counsel for the applicant-accused and learned Addl. PP for the State.

7. Perusal of record reveals that FIR No. 301 dated 08.08.2014, under Sections 420, 467, 468, 471 & 120-B of IPC at Police Station Civil Lines, Amritsar was registered against applicant-accused and others at the instance of Karnail Singh son of Ujagar Singh, resident of village Daddowal, Tehsil Shahkot, District Jalandhar. Perusal of the record further reveals that applicant-accused was earlier granted interim bail by the Hon'ble High Court and during enquiry, he was declared innocent by the police and bail was ordered to be dismissed as withdrawn on 26.05.2015 and now, he has been summoned by the learned trial Court on an application under Section 319 Cr.P.C. filed by the prosecution vide order dated 27.03.2018. Allegations against the accused are yet to be proved during the trial. Since applicant-accused is ready to face trial before the trial Court and his custodial interrogation is not required and conclusion of trial will take time, therefore, without

commenting upon merits of the case, bail application is allowed and applicant-accused is directed to cause appearance before the learned trial Court within ten days and on his doing so, he shall be admitted to bail on his furnishing bail bonds in the sum of Rs. 50,000/- alongwith one surety in the like amount, to the satisfaction of trial Court, subject to compliance of conditions enshrined under Section 438(2) of Cr.P.C. Lower Court record be returned forthwith alongwith copy of this order. Bail application file be consigned to the record room.

Dated: 13.07.2018

**janesh*

**(Harbans Singh Lekhi),
Additional Sessions Judge,
Amritsar.
(unique Identification No. PB0113)**