

In the Court of Sh. Daljit Singh Ralhan, Additional Sessions Judge
Mansa. (PB0198)

Bail Application No.543 of 23.10.2018
CIS No.BA/1389/2018
CNR No. PBMN010035152018
Date of order: 22.11.2018

State

Versus

Jagtar Singh aged 42 years son of Gurbachan Singh resident of village
Ralli Tehsil Budhlada District Mansa, now confined in judicial custody in
District Jail, Mansa.

----- Applicant/ accused.

FIR No. 142 dated 18.09.2018

Under Sections: 420 IPC

Police Station: Boha District Mansa.

Ist application for regular bail u/s 439 Cr.P.C.

Present:- Sh. P.K. Jindal, Advocate for applicant/ accused.
Sh.Vikas Garg, Addl.PP for the State.

ORDER:

This order of mine will dispose of an application for regular
bail moved by accused / applicant Jagtar Singh in case FIR No.142 dated
18.09.2018, Under Sections: 420 IPC, Police Station: Boha District
Mansa.

2. It has been averred by the Id. Counsel for the applicant that
he is falsely implicated in this case. There is no copy of alleged agreement

or any other writing. Alleged matter is of civil nature. Applicant is in custody since 04.10.2018. No useful purpose will be served by keeping him in custody.

3. Notice of bail application given to Ld. Addl. PP for the State. Record was summoned.

4. Ld. Counsel for the accused/ applicant contended that accused has been falsely implicated in this case. Alleged matter is of civil nature. Applicant is in custody since 04.10.2018. No useful purpose will be served by keeping him in custody. He prayed for allowing the present bail application.

5. On the other hand, Ld. Addl. PP has opposed the bail application stating that the offence against the accused are serious in nature.

6. Perusal of the file shows that present case was registered against the accused on the application moved by complainant Pawan Kumar. ASI Balvir Singh appeared in the Court and suffered statement to the effect that he is investigating officer of the case bearing FIR No.142 dated 18.09.2018 under Section 420 of IPC, PS Boha and have brought the record. In this case, accused Jagtar Singh was the property dealer. Accused/ applicant Jagtar Singh obtained money from victim Pawan Kumar and handed over to Ramesh Kumar, but sale deed was not got executed in the name of Pawan Kumar.

7. Applicant/ accused is a property dealer. He is not beneficiary of alleged transaction. Applicant/accused is in custody since long.

Presentation of challan and conclusion of trial will take considerable time.

The fact regarding the cheating can be decided only after leading evidence during trial. No useful purpose would be served by detaining the accused / applicant in custody for in ordinary period.

8. In the light of aforesaid reasons, case law, taking into consideration the totality of the facts and circumstances, the present bail application is allowed. Accused/ applicant Jagtar Singh is ordered to be released on bail on furnishing personal bonds and surety bonds to the satisfaction of Id. Ilaqa Magistrate/duty Magistrate and subject to following conditions:

- i) that the applicant shall make himself available for interrogation by a police officer as and when required.
- ii) that the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the accusations against him so as to dissuade him from disclosing such facts to the court or to any police officer.
- iii) that the applicant shall not leave India without the previous due permission of the court.

Copy of this order be sent to the Court of Id. Illaqa Magistrate forthwith.

Record be returned. File be consigned to the record room.

Pronounced.
Dated: 22.11.2018.

(Daljit Singh Ralhan)
Addl. Sessions Judge
Mansa.(PB0198)

Avinash

State Vs. Jagtar Singh.

Present:- Sh. P.K. Jindal, Advocate for applicant/ accused.
Sh.Vikas Garg, Addl.PP for the State.

Arguments on application filed under Section 439 Cr.P.C. seeking bail by accused / applicant, heard. Vide separate detailed order of even date, the same stands allowed. Record be returned. File be consigned to the record room.

Pronounced.
Dated: 22.11.2018.

(Daljit Singh Ralhan)
Addl. Sessions Judge
Mansa.(PB0198)

Avinash