

**IN THE COURT OF SHRI H.S. GREWAL,
SESSIONS JUDGE, MANSA
(UID NO.PB0081)**

Bail application No.89

Date of institution: 19.02.2025

CIS No.BA/213/2025

CNR No.PBMN010006352025

Date of order: 21.02.2025

State

Versus

Mithu Singh, aged about 65 years, son of Hari Singh, resident of Ward No.13, Sardulgarh, Tehsil Sardulgarh, District Mansa, now confined in District Jail, Mansa.

--- Applicant-accused

Bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

FIR No.0046 dated 16.03.2023
under Sections 420, 406, 120-B of IPC,
Police Station, Bhikhi, District Mansa.

Present: Shri G.S. Mann, Advocate, counsel for the applicant-accused.
Shri Jasvir Singh, Additional Public Prosecutor for the State.

ORDER

This order of mine shall dispose of an application for regular bail filed on behalf of applicant Mithu Singh in FIR No.0046 dated

16.03.2023, under Sections 420, 406, 120-B of IPC, Police Station, Bhikhi, District Mansa.

2. In pursuance of notice of the application having been issued, the learned Additional Public Prosecutor for the respondent-State has put in appearance and record has been produced by ASI Rajwinder Singh. Report of Ahlmad has been perused. As per report of Ahlmad, no application filed by the applicant is pending nor any application has been decided by the Hon'ble High Court. However, anticipatory bail applications of co-accused Mewa Singh, Amandeep, Manjeet Singh and regular bail application of accused Hardeep Singh have already been allowed by this Court.

3. Learned counsel for applicant has vehemently argued that the FIR has been lodged by Sushil Kumar, owner of soap factory at Dhaula, District Barnala on the averments that on the pretext of purchase of horse and mare, he has been cheated. The deal was allegedly struck with Amandeep Singh and Gurpreet Singh. Allegations against the applicants are that as to his having allegedly struck the deal for sale of horse at higher price. Besides that, the payment has already been received by the complainant. The applicant is in custody since 13.02.2025. One of the co-accused has already been accorded regular bail and other three co-accused have been granted anticipatory bail by this Court. The applicant is ready to abide by the directions, if any imposed. The application be allowed.

4. On the other hand, learned Additional Public Prosecutor for State has hotly opposed the contentions and has argued that complainant

Sushil Kumar has lodged the FIR as to his having been cheated by the applicant along with Amandeep Singh, Gurpreet Singh and others. The deal was struck for the purpose of horse and mare and a sum of Rs.33,00,000/- is shown to have been paid. The applicant had struck deal for sale of horse at higher price. Thus, the applicant along with others has cheated the complainant. The application be dismissed.

5. After giving my thoughtful consideration to the rival submissions and on careful perusal of the averments put in the application, contents of the FIR, perusal of the record produced by ASI Rajwinder Singh, coupled with the assistance rendered, it is apt to make mention that as per complainant Sushil Kumar, Amandeep Singh and Gurpreet Singh had allured him for the purchase of horse, which was further offered to be sold at higher rate. As per the complainant, the deal was struck for the purchase of horse and mare for a total sum of Rs.28,00,000/- and a sum of Rs.2,00,000/- had been paid. The allegations against the applicant are as to his having allegedly struck deal for sale of horse at higher price. He is in custody since 13.02.2025. The criminal liability, if any, against the applicant can be determined only after holding of regular trial. It shall serve no useful purpose to keep applicant behind the bars for an indefinite period. One of the co-accused has already been granted regular bail, whereas, other three have already been accorded anticipatory bail by this court. Hence, taking note of the totality of the facts and without expressing any word upon merits of case, the bail application is allowed. The applicant is hereby admitted to regular bail on

his furnishing the bail bonds in the sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the learned Illaqa/Duty Magistrate, with the directions that applicant shall not tamper with the prosecution evidence, he shall not leave the country without prior permission of the Court and he shall appear in the court on each and every date hearing. Copy of order be sent to the Illaqa/Duty Magistrate for compliance. Record has been returned. Bail application file be consigned to the record room.

Announced:
21.02.2025

(H.S. Grewal)
Sessions Judge, Mansa
(UID No.PB0081)

Sukhwinder Singh SG-II

CNR No.PBMN010006352025

BA/213/2025

State Vs. Mithu Singh

Present: Shri G.S. Mann, Advocate, counsel for the applicant-accused.
Shri Jasvir Singh, Additional Public Prosecutor for the State.

In pursuance of notice, learned Additional Public Prosecutor has appeared for the State. Record has been produced by ASI Rajwinder Singh. Arguments have been heard. Vide separate detailed order of even date, the bail application has been allowed as detailed therein. Record has been returned. Copy of order be sent to the Illaqa/Duty Magistrate for compliance. Bail application file be consigned to the record room.

Announced:
21.02.2025

(H.S. Grewal)
Sessions Judge, Mansa
(UID No.PB0081)

Sukhwinder Singh SG-II