

**IN THE COURT OF MS.HIMANSHI GALHOTRA,
SUB DIVISIONAL JUDICIAL MAGISTRATE, PHAGWARA.
(UID PB-0317)**

CNR No. PBKPA10004222023

Case No. BA/33/2023



Presented on : 01-03-2023

Registered on : 01-03-2023

Decided on : 02-03-2023

Manga @ Manga Sahota age about 30 years, s/o Raju, r/o Ward No.11,
Lohian Khas, Tehsil Shahkot Distt.Jalandhar at present address Chajj
Colony Tehsil Phagwara Distt.Jalandhar.

....Accused/Applicant

Versus

State of Punjab

FIR No.37 dated 25.2.2023

U/s 380, 457, 411 IPC

P.S.City Phagwara, District Kapurthala.

Present: Sh.Randeep Kumar Kailey, Advocate for applicant/accused.
Sh.Saurav Khullar, Ld. APP for the State.

Police record received. Arguments on bail application heard.

2. The present bail application has been moved on behalf of the applicant/accused on the ground that the applicant/accused has been falsely implicated in this case. It is further pleaded that the allegations levelled in the above said case are false and frivolous. The applicant/accused is an innocent person and he has committed no offence. It is further pleaded that the applicant/accused undertakes not to tamper with the prosecution evidence nor will abscond and shall abide by all the

terms and conditions imposed by this Court, if the liberty of bail is granted to the accused.

3. Notice of the bail application was given to the learned APP for the State, who did not file any written reply and orally opposed the bail application with prayer to dismiss the same.

4. Accused-applicant is in judicial custody since 27.02.2023. The recovery has already been effected from the present accused. The presentation of challan and trial of the case is likely to take long time. No useful purpose will be served by keeping the accused-applicant in custody. Keeping the accused further in custody shall only a burden on State Exchequer. Moreover, bail and not jail is the rule of law. Hence, accused/applicant is ordered to be released on bail on his furnishing personal bail bonds in the sum of **₹50,000/- with one surety in the like amount**, subject to following conditions:-

- (i) The accused/applicant shall remain present before the Court on each and every date of hearing.
- (ii) The accused/applicant shall not influence the witnesses of the prosecution nor shall try to intimidate or threaten the witnesses of the prosecution.
- (iii) The accused/applicant shall not leave India, without intimation and prior permission of the Court.
- (iv) The accused/applicant shall not commit similar kind of offence during the pendency of the present case.

Bail application stands disposed of accordingly. Police record be returned. Personal bail bonds and surety bonds furnished, which have

been accepted and attested. Let, release warrant of accused be issued forthwith and the same be sent through E-Mail as per directions issued by the learned District & Sessions Judge, Kapurthala. Reader is further directed to forward the surety bonds containing khasra numbers regarding which the entries are to be made in the revenue record as per direction of Hon'ble Punjab & Haryana High Court passed in CWP No. 4898 of 2018. Copy of surety bonds be also forwarded to concerned Revenue authority for necessary compliance and making entry. Papers be attached with the remand papers/main file.

Pronounced in the Court:
Dated:02.03.2023.

(Rajeev Kumar)
(Directly Dictated on Computer)

(Himanshi Galhotra)
Sub Divisional Judicial Magistrate,
Phagwara
(UID PB-0317)