

**IN THE COURT OF R. S. RAI, SESSIONS JUDGE, SANGRUR
(Unique Identification No.PB0031).**

CNR No. PBSG01-009714-2023

BA No. 3562 dated 05.10.2023

Filing No.7221 dated 04.10.2023

Date of decision: 11.10.2023

Jagsir Singh @ Jagga aged about 26 years son of Gurjant Singh, resident of Jharon Patti, Longowal, District Sangrur (now confined in District Jail, Sangrur).

Applicant-Accused

Versus

State of Punjab

Respondent

First bail application under Section 439 of
Cr.P.C. filed by applicant.

F.I.R. No.70 dated 26.03.2019.

Under Section 61/78/1/14 Punjab Excise Act.

Police Station: Lehra.

Present: Mr. Chamkaur Singh Litt Advocate, for applicant-accused.
Mr. Hardeep Singh Kahlon, Public Prosecutor for State.

ORDER

This order shall dispose of an application moved under Section 439 of Cr. P. C. for grant of regular bail, on behalf of applicant-accused Jagsir Singh @ Jagga.

2. As per allegations of prosecution, on 26.03.2019, 420 bottles of country made liquor make Shehnai (Haryana) were recovered from Swift VDI car bearing registration no. HR-08-G-8181, but Jagsir Singh @ Jagga and Kuldeep Singh @ Bunti occupants of that car managed to

escape from the spot. Accused Jagsir Singh @ Jagga was arrested, while Kuldeep Singh @ Bunt was declared as Proclaimed Offender. Accused Jagsir Singh @ Jagga was released on bail. Challan was presented against him in the Court. He absented himself from the proceedings of trial. His bail bonds were cancelled and forfeited to the State vide order dated 23.05.2022 and he was summoned through arrest warrants. Lastly, he was declared as proclaimed person vide order dated 25.01.2023 by the Trial Court. An application for issuance of production warrant of Jagsir Singh @ Jagga was moved, in pursuance of which, he was produced before the Trial Court on 21.09.2023 and now he is in custody since then. His bail application was dismissed by the Trial Court, vide order dated 25.09.2023. Hence, this bail application moved by applicant-accused under Section 439 of Cr.P.C.

3. Notice of this bail application was given to learned Public Prosecutor for State, who appeared and opposed this bail application. Trial Court record was also requisitioned.

4. I have heard learned counsel for the applicant-accused, learned Public Prosecutor for the State and have gone through the record pertaining to this case very carefully, with their able assistance.

Applicant-accused Jagsir Singh @ Jagga is in custody in this case since 21.09.2023. As stated by his counsel, he is sole bread winner of his family. He is ready to comply with all the terms and conditions of the bail. This case is triable by the Judicial Magistrate. For his absence, he is in custody and has suffered much. No doubt, he was declared as

proclaimed person/offender in this case, but he can not be kept behind the bars for an indefinite period. Final disposal of trial would take considerable time. No useful purpose would be served by keeping the applicant in custody any longer. Keeping in view all these facts and circumstances, this bail application stands **allowed** and disposed of. Applicant-accused Jagsir Singh @ Jagga is ordered to be released on bail on his furnishing personal bond in the sum of ₹ 50,000/- with one surety in the like amount to the satisfaction of Area/Duty Magistrate or Trial Court. Anything said in this order is only for the purpose of disposal of this bail application and will not affect the merits of the main trial in any manner. Police record be sent back. Record of this bail application be consigned.

Pronounced in open Court.

Dated: 11.10.2023

Rajiv Kumar, Stenographer-I

R. S. Rai,
Sessions Judge, Sangrur
(Unique Identification No.PB0031)