

In the Court of Mrs. Anjana, Additional Sessions Judge,
Moga.

BA No.67 of 29.02.2020
CIS No.BA/386/2020
CNR No.PBMO01001087-2020
Date of Decision: 06.03.2020

State of Punjab

Versus

Paramjit Singh son of Darbara Singh resident of village Lohgarh,
Tehsil Dharamkot, District Moga.

...Accused/Applicant

FIR No.82 dated 16.05.2015,
Under sections 379, 427, 447, 506, 511, 34 IPC
P.S. Dharamkot.

(Bail application u/s.438 Cr.P.C.)

Present: Sh. Sanjiv Mehta Advocate, for applicant.
Sh. Amandeep Prinja, Addl.P.P. for the State

ORDER

1. This order of mine shall dispose of the bail application filed by the above referred applicant under section 438 Cr.P.C. in a case bearing FIR No.82 dated 16.05.2015, Under sections 379, 427, 447, 506, 511, 34 IPC, P.S. Dharamkot.
2. In pursuance of the notice of the bail application having been issued, learned Addl.P.P. for the State Shri Amandeep Prinja has put in appearance. Original file has been perused.
3. The learned counsel for the applicant/accused has

vehemently argued that a false case has been registered against the accused/applicant. During investigation, the accused/applicant was found innocent and name of the applicant was kept in column no.2 of the challan. The accused/applicant has been summoned by learned trial court vide order dated 10.02.2020 while deciding the application under Section 319 Cr.P.C. Since, the accused/applicant was found innocent during investigation, as such his custodial interrogation is not required. The conclusion of trial will take a long time and no useful purpose would be served by sending the accused/applicant behind the bars. The accused/applicant has apprehension of his arrest in case he will appear in the court. Lastly, prayer has been made that the application for anticipatory bail may be allowed.

4. On the other hand, learned Addl.P.P. for the State vehemently opposed the contentions raised by the learned counsel for accused/applicant and argued that there are specific allegations against the accused/applicant. Thus, due to gravity and seriousness of offence, present accused/applicant does not deserve the concession of anticipatory bail. Lastly, prayer has been made for dismissal of bail application.

5. After giving my careful consideration to the rival submissions and on careful perusal of averments of the application, contents of FIR, record of police coupled with due assistance rendered, this court finds that the present bail application merits acceptance. As per FIR No.82 dated 16.05.2015, under sections 379, 427, 447, 506, 511, 34 IPC, PS Dharamkot, the present case was registered on the statement of complainant Sukhjit Singh.

6. Perusal of file reveals that after investigation, the police presented challan against accused Lakhvir Singh, Harjinder Singh and

Lakhvinder Singh. After leading some evidence, the prosecution filed an application under section 319 Cr.P.C, which was allowed by the learned trial court on 10.02.2020 and accused/applicant Paramjit Singh was ordered to be summoned to face trial alongwith co-accused. Therefore, it is quite apparent that custodial interrogation of present accused/applicant is not required. As such, present application is allowed and the accused/applicant is directed to put appearance before the trial court within seven days from today and in that eventuality, the accused/applicant be released on bail on his furnishing bail bonds to the satisfaction of trial court/Illaqa Magistrate/Duty Magistrate. However, the observations made above shall have no effect on the merits of the case. Lower court record be returned alongwith a copy of this order and file of bail application be consigned to record room.

Pronounced;
Dated: 06.03.2020
(Sunny Stenographer II)
(Direct Dictation)

(Anjana)
Additional Sessions Judge,
Moga. ***(UID No.PB-0448)***

Present: Sh. Sanjiv Mehta, Advocate, for applicant.
Sh. Amandeep Prinja, Addl.P.P. for the State

Trial court record received. Arguments heard. Vide my separate order of even date, the present bail application stand allowed, for the reasons as indicated therein. Lower court record be returned alongwith a copy of this order and file of bail application be consigned to record room.

Pronounced;
Dated: 06.03.2020
(Sunny Stenographer II)
(Direct Dictation)

(Anjana)
Additional Sessions Judge,
Moga. ***(UID No.PB-0448)***