

State Vs Swaran Singh BA 19-2018

**FIR No.87 dated 24.08.2015
Under Section 61/1/14 of Excise Act
Police Station Badhni Kalan.**

Present:- Shri Baljinder Bansal, Advocate for applicant-accused
Swaran Singh.
Shri Amrit Mittal A.P.P for the State.

1. Heard on the application moved by **applicant-accused Swaran Singh** for releasing him on regular bail in this case, till the decision of the case through counsel. In this application, it has been alleged that the accused-applicant could not attend the Court on 09.10.2017 due to reason he went to out of Punjab for labour purpose. He voluntarily appeared in the Court on 12.12.2017 and since then he is in judicial custody. Conclusion of trial will take long time and no useful purpose will be served by keeping the accused behind the bar. Hence, the present bail application.

2. Notice of the bail application has been given to the State. Though the learned APP for the State has not filed any reply, but otherwise he contested the claim of the accused.

3. I have heard learned APP for the State and the learned defence counsel and have also gone through the record.

4. Perusal of the file reveals that accused had absented from the court on 09.10.2017 after having released on bail and therefore, his bail

order was cancelled and bail bonds and surety bonds were forfeited to the State. On 12.12.2017 accused has appeared in the Court through counsel and since then he is in custody. Conclusion of trial is likely to take considerable time. No useful purpose will be served by sending the accused behind the bars. Moreover, the applicant-accused must have learnt a lesson for remaining absent from the Court. As such, considering all these facts, benefit of bail is extended to accused Swaran Singh and he is ordered to be released on bail on furnishing bail bonds in the sum of Rs.30,000/- with one surety of the like amount as per following conditions:-

1. That such person shall attend in accordance with the conditions of the bond executed under the chapter.
2. That such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.
3. That such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.
4. That such person shall inform the court in case of change of his address immediately without any delay.
5. That such person shall not leave the country without the prior permission of the court.
6. That in case such person is having a passport, then he must supply the copies of the same and in case he is not having passport, then he must submit an affidavit qua the said fact.

7. That he shall furnish his e-mail ID and mobile number to the investigating officer and any message sent to him through e-mail or SMS shall be treated as service of notice on him to join the investigation or to appear before the Court;
8. That in case such person mis-uses the concession of bail and absents from proceeding before this Court, this bail order shall stand cancelled automatically.

Pronounced:	Sd/-
Dated 15.02.2018	(Pankaj Verma)
	Sub Divisional Judicial Magistrate,
	Nihal Singh Wala.
	UID No.PB0314

(Satnam Kaur Stenographer G-III)

Bonds not furnished. Papers be attached with the main file.

Pronounced:	Sd/-
Dated 15.02.2018	(Pankaj Verma)
	Sub Divisional Judicial Magistrate,
	Nihal Singh Wala.
	UID No.PB0314

(Satnam Kaur Stenographer G-III)