

**IN THE COURT OF Ms. HEENA AGGARWAL JUDICIAL
MAGISTRATE IST CLASS, GARHSHANKAR.**

**Bail Application No.229/2020
CNR No. PBHOB10002312020**

State Versus Amandeep alias Deepa son of Gian
Chand, resident of Village Dallewal,
Tehsil Garhshankar, District
Hoshiarpur.

**F.I.R No.63, Dated 07.04.2020
U/S 61-1-14 Punjab Excise Act IPC
P.S Garhshankar**

BAIL APPLICATION

Present: None for the State
Sh. Harvinder Pal Adv. Counsel for applicant/accused
Amandeep @ Deepa

ORDER

1 This order of mine shall dispose of bail application filed by
the applicant/accused Amandeep @ Deepa in FIR No.63 dated
07.04.2020 under Section 61-1-14 Excise Act, Police Station
Garhshankar.

2 Notice of the application was given to State through Learned
APP for the State, but the learned APP for the State has not put in
appearance to contest the application.

3 Heard. Ld. Counsel for applicant/accused submitted that the
accused has been falsely implicated in this case and that the accused is in
custody since 07.04.2020. Conclusion of trial and presentation of challan
will take time and no useful purpose would be served by detaining the
accused behind bars. With this submission Ld. Counsel prayed that
applicant/accused be released on bail.

4 Per contra Ld.APP for State argued that case against the
accused is registered for commission of a grave offence and if he is
released on bail, he is likely to abscond and to interfere in investigation.
With this Ld. APP for State prayed that the application be dismissed.

5 I have heard the rival contentions. Record reveals that accused Amandeep @ Deepa, is in custody since 07.04.2020. The F.I.R has been registered U/S 61-1-14 Punjab Excise Act. The fact that the accused is in judicial custody goes to show that he is not required by the police for further investigation. Presentation of challan, conclusion of trial will take time and accused cannot be detained for an indefinite period. No useful purpose would be served by detaining the accused behind bars. As such, applicant/accused Amandeep @ Deepa is admitted to bail subject to furnishing bail bonds in the sum of Rs. 30,000/- with one surety in the like amount. However, the bail is subject to the following conditions:-

- i) that the applicant/accused shall not leave India without prior permission of the court;
- ii) that the applicant/accused shall not tamper with the prosecution witnesses till the decision of the trial;
- iii) that the applicant/accused shall appear before the court on each and every date of hearing.

At this stage, the learned counsel for the accused/applicant has submitted that due to curfew imposed in India due to COVID-19, the accused is unable to furnish the surety bonds. In view of the request so made and keeping in view the prevailing circumstances, the accused is directed to be released on furnishing the personal bonds to be executed in Jail to the satisfaction of the Jail Superintendent with the direction that the accused shall furnish the surety bonds within one week after the curfew is removed.

Personal bonds furnished, which are accepted and attested. Release warrants be issued forthwith. Papers be sent to the concerned court.

Announced
Dated: 10.04.2020
(Dinesh Singh, JW)

(Heena Aggarwal)
(D) Judicial Magistrate Ist Class,
Garhshankar
(UID PB 0558)