

PBGD010058092018



Presented on : 24-08-2018
 Registered on : 24-08-2018
 Decided on : 17-09-2018
 Duration : 0 years, 0 months, 24 days

IN THE COURT OF
Additional District & Sessions Judge
AT ,Gurdaspur
(Presided Over by Sh. Krishan Kumar Singla)

BA/2342/2018

IN THE COURT OF SH. K.K.SINGLA,
 ADDITIONAL SESSIONS JUDGE, GURDASPUR.

Bail application No.292 of 24.08.2018
 CIS No. BA 2342-2018
 CNR No. PBGD01-005809-2018
 Date of order :17.09.2018

Jaspal @ Yashpal son of Karnail Chand, R/o Gahlari, P.S. Dorangala, Tehsil
 & District Gurdaspur

.....Accused/applicant

Versus

State of Punjab

FIR No. 0057 dated 18.08.2018
 Under Section 61-1-14 of Pb. Excise Act
 Police Station Dorangala
 Ist Bail application U/s 438 Cr. P.C.

Present:- Sh. Bhuvnesh Mahajan Adv., counsel for applicant/accused.
 Sh. Bhupinder Sharma learned Addition P.P. for the State.

ORDER.

1. Present bail application has been filed under Section 438

Cr. P.C on behalf of accused/applicant Jaspal @ Yashpal for

grant of anticipatory bail in FIR No. 0057 dated 18.08.2018, under Section 61-1-14 of Pb. Excise Act registered at P.S. Dorangala

2. On 10.09.2018, interim relief was granted to accused/applicant by passing following order:-

“ This is an anticipatory bail moved on behalf of applicant/accused Jaspal alias Yashpal in case FIR NO.57 dated 18.8.2018, under Section 61/1/14 of Punjab Excise Act, P.S. Dorangla.

2. Upon notice, Shri Bhupinder Sharma, Ld. Addl.P.P has appeared on behalf of the State. Record has been called.

3. Arguments heard.

4. Contention of Sh. Bhuvnesh Mahajan, Adv, Ld. Counsel for applicant/accused is that applicant/accused has been falsely implicated in the present case. His argument is that applicant/accused is of the age about 60 years but he has been described as a clean shaven young man in the FIR. His argument is that accused is not apprehended at the spot. He is shown to be slipped away from the spot. Question of identity of accused is also involved. Nothing is now going to be recovered from the

applicant/accused. He argued that applicant/accused is ready to join investigation and co operate with the Investigating Agency.

5. Adjourned to 17.09.2018.

6. In the mean time, in case, applicant/accused is arrested in this case, he will be released on interim bail to the satisfaction of IO/Arresting Officer, subject to conditions laid down Under Section 438(2) Cr.P.C. "

3. Today HC Gurcharan Singh Singh, No. 452/GSP, P.S.

Dorangala came present along with record to record his statement to the effect that applicant/accused has joined investigation and his further custody is not required in the present case.

4. Accordingly, this court considers that no useful purpose would be served by taking the applicant in custody.

5. Present application for anticipatory application succeeds and same is hereby allowed and order dated 10.09.2018, whereby interim bail was granted is hereby made absolute.

6. Police record be returned and file be consigned to record room.

Pronounced
Dated: 17.09.2018
(Rohit Tandon)
Stenographer III

(K.K.Singla)
Additional Sessions Judge,
Gurdaspur.(UID No. PB0197)