

In the Court of Sh. Harpal Singh,
Sessions Judge, Kapurthala, (UID No.PB0036)

CNR No. PBKP010045642025



Case No. BA/1904/2025

Presented on : 04-08-2025

Registered on : 05-08-2025

Decided on : 11-08-2025

FIR No.43 dated 28.02.2022
Under Section 186/353/506 IPC
and Section 54 of Prisons Act
and 544(1) Jail Manual Act.
Police Station Kotwali, District Kapurthala.

Harmesh Singh @ Kala aged about 43 years son of Mukhtiar Singh,
r/o H.No.12, village Madahar Shera, Sher Mudar, Kot Isse Khan,
Makhu, District Ferozepur.

.....Accused/applicant.

Versus

State of Punjab.

.....Respondent.

Bail application under Section 483 BNSS.

Present: Sh. Harpreet Singh, Advocate, counsel for
applicant/accused.
Sh. Amandeep Singh, learned PP for the State.

ORDER

1. This order of mine shall dispose of an application moved
under Section 483 of BNSS for grant of regular bail, on behalf of
above said applicant/accused.

2. The present case against the applicant/accused has been registered on the basis of the statement of complainant Karamjit Singh, Assistant Superintendent Jail, Kapurthala, who had stated that as per orders, the applicant was to be shifted from one barrack to another barrack and during this period, the applicant started abusing the complainant and others and even also abused duty Constable Sukhmander Singh No.1085 and pushed him as he was already undergoing imprisonment of 10 years.

3. Upon notice, learned Public Prosecutor for the State appeared and opposed this bail application. Trial court record was also requisitioned.

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

5. Perusal of record shows that earlier the accused/applicant Harmesh Singh @ Kala was granted regular bail in the present case by the court of Sh. Amarinder Singh Grewal, the then learned Sessions Judge, Kapurthala vide order dated 03.10.2022 and during the proceedings of the case, the applicant-accused Harmesh Singh @ Kala absented from the trial court on 21.08.2024, as such, his bail bonds and surety bonds were cancelled and forfeited to the State and he was summoned through arrest warrants. Perusal of record further shows that the accused/applicant was produced before the court on 18.07.2025 on the basis of the production warrants issued by the learned trial court and since then he is in judicial custody in the

present case. The learned Public Prosecutor submitted that the applicant-accused has no respect for law, so his bail application be dismissed, whereas on the other hand the learned counsel for the applicant-accused submitted that the applicant-accused is in custody since 18.07.2025. The trial of case will take some more time and no purpose would be served by retaining the applicant-accused behind the bars for indefinite period. Otherwise also, the applicant-accused is not required for interrogation or recovery purposes. As such, the accused/applicant is ordered to be released on bail, on his furnishing personal bonds in the sum of Rs.40,000/- with one surety in the like amount to the satisfaction of trial court/Duty Magistrate, as well as subject to the conditions that accused/applicant will appear in Court on each and every date of hearing. Bail application stands allowed accordingly. Anything said in this order shall not affect the merits of the main trial in any manner. Ahlmad of this court is directed to send the copy of this order to the concerned jail authorities through E-mail forthwith to inform that bail application of applicant/accused has been allowed and to supply copy of the same to the applicant/accused. Trial Court record alongwith copy of this order be sent back and file of this bail application be consigned to the Judicial Record.

Pronounced in open Court
Dt.11.08.2025
(Arun)

(Harpal Singh),
Sessions Judge, Kapurthala,
(UID No.PB0036)

Harmesh Singh @ Kala Vs. State

CNR No.PBKP010045642025
Bail application No.1904 of 2025

Present: Sh. Harpreet Singh, Advocate, counsel for
applicant/accused.
Sh. Amandeep Singh, learned PP for the State.

Arguments heard. Vide separate detailed order of even
date, the present bail application filed on behalf of applicant Harmesh
Singh @ Kala has been allowed. Trial Court record alongwith copy
of this order be sent back and file of this bail application be
consigned to the Judicial Record.

Pronounced in open Court
Dt.11.08.2025
(Arun)

(Harpal Singh),
Sessions Judge, Kapurthala,
(UID No.PB0036)