

**IN THE COURT OF PUNEET MOHAN SHARMA,
ADDITIONAL SESSIONS JUDGE (UID NO. PB0167),
SHAHEED BHAGAT SINGH NAGAR.**

Date of Institution: 26.02.2021

Date of Order: 02.03.2021.

CNR No.PBSB01000594-2021

Mohan Lal aged about 60 years son of Daula Ram Ex. Sarpanch r/o Village Lodhipur, Tehsil Nawanshahr, District Shaheed Bhagat Singh Nagar.

Vs.

1. State

2. Joginder Ram son of Kartar Ram son of Rakha Ram, aged about 72 years , resident of Village Lodhipur, Tehsil Nawanshahr, District SBS Nagar.

Complaint case U/Ss 406,408,409,
420,465,467,471 & 120-B of IPC

Present: Sh. Brinder Singh, Advocate, counsel for accused/applicant
Mohan Lal .
Sh.Varinder Kumar, Addl. PP for the State/respondent no.1
Sh. S.S.Kundra Advocate for respondent no.2.

BAIL APPLICATION U/S 438 of Cr.P.C.

ORDER:

1. Heard. This bail application has been filed by applicant

(Puneet Mohan Sharma, ASJ,SBS Nagar UID No.PB0167)

Mohan Lal U/S 438 Cr.P.C. for grant of anticipatory bail in complaint case titled as Joginder Ram Vs. Mohan Lal & Others filed by respondent/complainant Joginder Ram against the applicant & others U/Ss 406,408,409,420,465,467,471 & 120-B of IPC as the applicant has been summoned as a accused by the Ld. Trial Court vide order 18.01.2021 .

3. Notice of the bail application was issued to the respondents and Ld. Addl.P.P for the state appeared on behalf of respondent no.1/ state of Punjab whereas Sh.S.S.Kundra Advocate appeared on behalf of respondent no.2 Joginder Ram .

4. Ld. counsel for the applicant/accused contended that the applicant/accused has been falsely implicated in the complaint case just to harass him by the complainant on false allegations in which the applicant has been summoned by the Court of Sh.Yukti Goyal , Addl. Chief Judicial Magistrate, SBS Nagar vide order dated 18.01.2021. Ld. counsel further contended that custodial interrogation of the applicant is not required in this case as he has been summoned in a private complaint case and he is ready to face the trial and finally prayed for extending the relief of anticipatory bail. On the other hand, Ld. counsel for the respondents

opposed the bail application and prayed for its dismissal.

5. Perusal of the record of Ld.Trial Court shows that the applicant alongwith other co-accused was summoned in a complaint case by the Court of Sh. Yukti Goyal, Ld. ACJM , SBS Nagar vide order dated 18.01.2021. Since the applicant has been summoned in a private complaint, the custodial interrogation of the applicant is not required in this case and moreso, he is ready to face the trial before the Ld. Trial Court. Hence, keeping in view the facts and circumstances of the present case, the applicant/accused is granted interim anticipatory bail with the direction to appear before the Ld. Trial Court within 7 days from today and furnish bail bonds and surety bonds to the satisfaction of Ld. Trial Court. The applicant is also directed to abide by the terms and conditions of Section 438(2) Cr.P.C. Now to come upon 10.03.2021 for assisting the Court regarding appearance of the applicant before the Ld. Trial Court and for further proceedings.

Pronounced:
02.03.2021
(mahesh)

(Puneet Mohan Sharma)
Addl. Sessions Judge (UID PB0167)
Shaheed Bhagat Singh Nagar.

(Puneet Mohan Sharma, ASJ,SBS Nagar UID No.PB0167)