

CNR No.PBKP010057012022

Kuldeep Singh Vs. State of Punjab BA No.2326-2022

Present: Sh.Sushil Kapur, Advocate, for applicant/accused.
Ms. Reena Rani, learned APP for the State.

The record of application bearing no. BA/2177/2022 for bail moved by applicant/accused on 01.11.2022 and decided on 07.11.2022 is received apart from receiving the record of CIS No. CHI-369-2016 and the perusal of the same goes to reveal that the said application for bail was filed under sections 192/193/199/200/420/468/471/120-B of IPC but was not filed under section 177 of IPC under which the challan was also filed against the applicant/accused and co-accused and resulting of which the applicant/accused has come up by way of filing the present application for adding the section 177 of IPC in the application bearing no.BA/2177/2022 for bail already decided on 07.11.2022. The said offence punishable under section 177 of IPC being not mentioned in the said application bearing no.BA/2177/2022 for bail by the applicant/accused before or at the time of filing of the same,now cannot be added in the array of the said offences mentioned in the said application for bail, but the applicant/accused also can move an application for bail under the said offence punishable under section 177 of IPC, otherwise bailable one and the learned trial court also can order to release the applicant/accused on bail under the said offence punishable under section 177 of IPC, if was not mentioned in the said application for bail moved by the applicant/accused. Moreover, the present application was filed by the counsel for the applicant/accused without filing power of attorney of the applicant/accused. Therefore, the present application for adding the offence punishable under section 177 of IPC, is dismissed. The summoned record of the application for bail alongwith copy of this order be consigned to the record room as per consignment number. The summoned record of CIS No. CHI-369-2016 alongwith copy of this order be returned to the learned trial court to proceed as per law. The record of application be consigned to the record room(J), Kapurthala.

Date of Order:24.11.2022

(Manpreet Sharma)

(Ajaib Singh)

Judge, Special Court

Kapurthala (UID No.PB0120)