

FIR No. 42 dated 02.03.2020.

Under Section : 457/380/454/201 IPC & Section 25/54/59 Arms Act.

Police Station : City-I, Abohar.

Present: Sh. R.S. Jossan, APP for the State.
Sh. Chand Kumar, Advocate, counsel for applicant/accused Sonu @ Sonu Kumar.

Heard on the bail application filed by accused/applicant Sonu @ Sonu Kumar, wherein it was pleaded that accused is innocent and has been falsely implicated in the present case. It has been further submitted that the present FIR was lodged against unknown person, but later on the police has mentioned the name of applicant/accused in the present FIR and arrested him on 16.03.2020 and later on applicant/accused was released on bail on 02.06.2020. It has been further averred that applicant/accused is a labourer and has gone to one place to another place for labour work, so he has not been served any summons/or warrants and has failed to appear before the court, resultantly, he was declared as proclaimed person, vide order dated 07.02.202. It has been further submitted that applicant/accused is law abiding citizen and there is no apprehension of his absconding away if bail is granted. It has been further submitted that bail orders has not been cancelled and his surety bonds has also not forfeited, so the applicant may pleased be released on bail on the previous surety bonds. Further, applicant shall not misuse the concession of bail granted to him. It has been further submitted that accused was arrested by the police on 10.06.2024 and sent him in judicial custody. It has been further averred that the absence of the accused was neither intentional nor willful, but due to the reason as mentioned above. It has been further averred that accused is in judicial custody since his arrest. As such, learned counsel for accused/applicant has prayed for release of accused/applicant on bail.

Upon notice, learned APP for the State, appeared and opposed the

bail application on the ground that accused has committed serious offence. As such prayer for dismissal of the present bail application has been made.

I have considered the contradictory versions of the contesting parties and have deliberated over the arguments advanced in the light of documents, peculiar facts and circumstances and submissions made.

Perusal of the file reveals that earlier accused was released on bail on furnishing personal bonds, during the period of COVID-19 and thereafter, he absented from the court without any intimation. Perusal of file further reveals that accused was arrested in the present case on 10.06.2024 by the police and thereafter, he was produced before the court and since then, he is in judicial custody. By this time he must have learnt a sufficient lesson for misusing the concession of bail granting to him. Moreover, no useful purpose will be served by keeping the accused behind bar for an indefinite period rather it will be a burden on state exchequer. Criminality of accused if any is a matter of trial. As such, the present bail application is hereby allowed and accused above named is ordered to be released on bail on furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount. Bail bonds and surety bonds not furnished. Present papers be attached with main file. Copy of this order be send to accused through concerned Jail Superintendent.

Pronounced in open Court :
Dated: 18.06.2024.
Vineet Behl,
Stenographer-II.

(Satish Kumar Sharma),
Sub Divisional Judicial Magistrate,
Abohar. PB0375.