

Present : Sh.Pargat Singh Rathore, Adv, counsel for applicant
Shri Dinesh Kumar, Special PP for the State

File put up before me being as Ld. Presiding Officer has gone to attend Induction Training Programme at Chandigarh Judicial Academy, Chandigarh for one month from 14.1.19.

2- On the last date of hearing, ASI Gulab Singh no.439/Ldh-R now posted at PS Sadar Raikot, District, Ludhiana appeared and made statement to the effect that accused Hardial Singh @ Diala had not joined the investigation again after 11.12.18 as per the order of this Court.

3- On the other hand, learned counsel for the petitioner has contended that he joined the investigation and only recovery of bricks, iron equipment for harvesting the fields and wooden stock was stated to be remained effected from the petitioner but the bricks belonged to Budh Singh, principal accused and in support of this argument, he has placed on record copy of bill dated 31.5.18 issued by M/s.Ajaib Singh BKO in the name of Budh Singh. He has further argued that main accused Budh Singh and others have already been released on bail. He has also placed on record their bail orders. Budh Singh filed civil suit for permanent injunction restraining defendant Kuldeep Singh, husband of complainant of present FIR from demolishing any part of the suit house and the parties were directed to maintain the status-quo with regard to the existing position and possession over the suit house vide order dated 2.11.18 passed by the court of Learned Civil Judge, Junior Division, Jagraon. The fact that main accused Budh Singh has already been released on regular bail has not been denied by the State.

4- Keeping in view the attending circumstances of the present case and the fact that the main accused alongwith other co-accused has already been released on bail and the civil litigation is pending between the complainant party and the main accused, no purpose will be served by withholding the liberty of the petitioner. In this view of matter, interim bail granted to the petitioner vide Order dated 6.12.18 passed by my learned Predecessor is made absolute and is confirmed. Record be

sent back to the concerned court.

Dt. 06.02.2019

Balbir Singh Stenographer-I

Sonia Kinra,

Addl. Sessions Judge,Ldh (Duty)

UID No. PB-0176