

CIS No. BA/17/2024. CNR No: PBFZD10001872024
Narinder Pal alias Navi alias Ninder Versus The State of Punjab.

FIR No.45 dated 19.05.2023,
Under Sections 457, 380, 411 of IPC,
Police Station Lakho Ke Behram.

Present. Sh. Iqbal Singh Rai, Advocate counsel for applicant/
accused.
APP for the State.

Heard on the bail application filed by applicant/accused. Ld. Counsel for the applicant/accused argued that false case has been planted by the police against the applicant. Accused has not committed any offence. Nothing is required to be effected from the accused. Accused arrested on 13.01.2024. This is the first bail application of accused and no such other bail application is decided or pending in any court of law. Hence the application be allowed.

Upon notice Ld. APP for the State has appeared, but he did not wish to any reply and has contested the bail application orally. Ld. APP for the State argued that the accused person should not be granted bail, he further stated that if bail is granted it will be wrong message to the society and accused may try to commit similar other offences. Thereby he prayed for dismissal of bail application.

I have considered respective submission made by Ld. Counsel for the accused, APP for the State. This court has also carefully gone through the file of the case with the able assistance of the counsel. Police record has also been perused. A separate statement of ASI Balbir Singh No.819/FZR of PS Lakho Ke Behram has also been recorded in which he has stated that no such other regular bail application of the applicant-accused is pending or decided by any court of law.

After hearing rival contention of both the parties, the court is of the opinion applicant/accused be granted bail. It is settled law that bail is the rule and jail is an exception. Further the allegations and its denial is a matter of evidence. The accused is in custody since 13.01.2024. Considering the nature and allegations involved, period of custody of the accused and stage of the proceedings as the challan is yet to be presented, that accused deserve the concession of bail in the present case. No useful purpose would be served by keeping the applicant/accused in custody being not required by the police for further investigation.

Keeping in view of the averments, without commenting upon the merits of the case, I hereby allow this application. Accordingly, the accused admitted to bail, subject to the following conditions:

- 1) Accused shall furnish bail bonds in the sum of Rs.40,000/- with one surety each in the like amount.
- 2) The accused shall attend the Court on each and every date of hearing and shall comply with other the conditions of the bond executed.
- 3) The accused shall not commit any offence similar to the offence of which he is accused or suspect of the commission of which they are suspected.
- 4) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts the Court or to any police officer or tamper with the evidence.
- 5) Accused will not leave the country without prior permission of the Court.
- 6) Accused and surety shall be bound to intimate the Court as and when there is any change in their addresses (s). However observations made above are only for the disposal of this bail application and would have no bearing on merits of the case.

Bonds not furnished. Ahlmad is also directed to send the soft copy of this order by e-mail to the concerned Jail Superintendent for compliance of the order dated 31.01.2023 of Honourable Supreme Court

passed in SMWP (Criminal) No.4/2021. Present bail application be attached with the remand papers of the present case.

Pronounced in the Open Court.

Dated 01.03.2024.

Dalip Goyal, Stenographer Grade II.

sd/-

(Lovepreet Kaur)

JMIC/Guru Har Sahai.

(UID No. PB0641)