

**IN THE COURT OF SH.ARUNVIR VASHISTA,(UIN-PB0050),
ADDL.SESIONS JUDGE, LUDHIANA.**

Bail Application
CIS No.BA/18030/2018
CNR No. PBLD010286332018
Decided on: 5.1.2019

State Versus Khushveer Singh @ Sonu, aged 40 years
s/o Joginder Singh r/o Village lalton
Kalan, District Ludhiana.

....Applicant/Accused

FIR No.229 dated 5.10.2018
U/Ss 307, 34, 120-B of the IPC and
Section 25/27 of the Arms Act
P.S. Sadar, Ludhiana Ludhiana.

Bail Application u/S 439 Cr.P.C.

Present: Sh.Ravdeep Singh Atwal, Advocate for the applicant
 Sh.Harkirat Singh, Addl.PP for the State.

 Heard on the regular bail application moved on behalf of
applicant/accused Khushveer Singh under Section 439 Cr.P.C. in the
above noted FIR.

2. It has been submitted and emphasized on the behalf of
applicant/accused that he has been in judicial custody since 21.10.2018
and was no more required for any purpose. No overt act was attributed to
him. The only allegation against him was that he was a part of the
conspiracy and that too came later in the supplementary statement. He
was totally innocent. Nothing was to be recovered from him. Presentation
of challan and conclusion of trial would likely to take long time. No
useful purpose was going to be served by keeping him behind the bars.
On these assertions, prayer for grant of bail to the applicant/ accused has
been made.

3. While opposing the above contentions, learned Addl PP for
State has submitted that the allegations against applicant/accused are of

grave and serious nature. The injured received grievous injuries out of which three were the result of gun shots. Moreover, if granted bail, there are chances that the applicant/accused might run away from law and proceedings. On these assertions, he has prayed for rejection of the bail.

4. As per the allegations of the prosecution, the applicant participated in the criminal conspiracy alongwith his co-accused for the commission of offence and the specific allegation against him is that he did recce of the injured/complainant before he was attacked by the hired assailants.

5. The accused/applicant has already been sent to judicial custody, where he has been so for the last about 2-1/2 months, meaning thereby nothing was to be recovered from him. The injured has been discharged from the hospital. His culpability/liability, if any, is to be adjudged in the trial conclusion of which is likely to take considerable time although challan has been presented. Chances of his indulging in influencing the prosecution witnesses, if released on bail, are bleak as well as chances of his running away from the law and proceedings, that can otherwise be got minimised by subjecting him to some kind of sound and heavy surety. Thus, the applicant/accused is found to be entitled to the grant of concession of bail by this court upon exercising its special powers u/S 439 Cr.P.C. Accordingly, present bail application is allowed and applicant/accused is admitted to bail on furnishing of bail/surety bonds in the tune of Rs.60,000/- with one sound and local surety in the like amount to the satisfaction of learned Illaqa/Duty Magistrate, subject to the following terms:-

1. He shall appear in the trial court on each and every date of hearing;
2. he shall not tamper with the prosecution evidence;
3. he shall not leave India without prior permission of the court ;

My observations made here-in-above while disposing of bail application shall not affect the merits of the case. Lower court record be returned alongwith a copy of this order. Bail application file be consigned to record room.

Pronounced in open court.

January 05, 2019

Anil K. Rao
Stenographer Gr-I

Arunvir Vashista,
(UIN-PB0050)
Addl.Sessions Judge, Ludhiana.