

GURDEV CHAND VS PUNJAB STATE etc.

Present:.. Sh. N.K.Bhambi Advocate for the applicant/accused

Sh. Sachin Thapar, Ld.APP for the State.

In view of the order of Learned District & Session Judge, Jalandhar bearing endorsement No.430-41 G/Covid-19 dated 31.01.2022 and further in continuation of of order bearing Endorsement No. 161-172 G/- Covid-19 dated 14.01.2022 whereby, restrictive functioning of the courts has been ordered and only certain category of cases have been allowed to be taken up.

Heard on the bail application moved by the applicant/accused Sahil in a case F.I.R. No. 89 dated 30.10.2021 under Section 8,9 The Punjab Good Conduct, Prisoners Temporary Release Act, registered at Police Station Nurmahal, District Jalandhar.

2. Learned counsel for the applicant/accused has argued that applicant/accused has not committed any offence. The police of P.S.Nurmahal has falsely registered the case against the accused. The applicant/accused has been falsely implicated in the present FIR. Applicant/accused is no more required for further investigation. It is further argued that applicant/accused undertakes to appear in the court on each and every date of hearing. Ld. counsel for the accused has requested that bail may kindly be granted to the applicant/accused and the present bail application be allowed.

3. On the other hand, learned APP for the State has argued that the bail could not be granted to the accused as he has committed serious offences.

4. This Court has heard the learned APP for the State as well as learned counsel for the accused and has also scrutinized the record available on the file. From the perusal of the record, it is evident that the present F.I.R. has been registered against the accused for the offence under Section 8,9 The Punjab Good Conduct, Prisoners Temporary Release Act. Presentation of trial will take time. Conclusion of trial will also take sufficient time. Hence, no useful purpose would be served by keeping the accused in jail for an indefinite period. Therefore, keeping in view the facts and circumstances of the present case and the decongestion of jails due to Covid -19 outbreak, the present regular bail application is allowed and accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.1,00,000/- with Two sureties in the like

amount, subject to the following conditions:-

- (i) That accused shall not indulge in the offence of similar nature.
- (ii) That accused shall not induce, give threat, pressure to the prosecution witness.
- (iii) That accused shall come present on each date of hearing.

Bail bonds and surety bonds not furnished. Papers be attached with the remand papers/other papers.

Date of Order: 01.02.2022
Sunita Rani

(Gurmehtab Singh)
Judicial Magistrate First Class
UID NO . PB00473