

Sachin Singh etc. Vs. St. of Pb.

Present: Sh.ML Rahanu, Adv. for applicants-accused.
Sh.Manoj Kumar, Addl.PP for the State.

This order of mine shall dispose of bail application U/S 439 Cr.P.C filed by the applicants Sachan singh @ Sucha and Surjit Singh @ Situ in case FIR No.154 dated 21.12.2017 under Section 21(1) of Mines and Mineral Regulation of Development Act 1957, PS Chabbewal, Hoshiarpur. It is submitted in the application that applicants are innocent and have not committed any offence. They have been falsely implicated in the above noted case. They are in custody since long and be released on bail.

2. Notice of bail application was issued to State who did not file reply. Rather, orally opposed the bail application.

3. In brief, case of the case are that on 21.12.2017 in the area of village Jajjon, ASI Gurminder Singh apprehended the accused-applicants along with tractors loaded with sand to which they failed to produce any permit or license for carrying sand.

4. Learned counsel for the accused-applicants has contended that the applicants have been falsely involved in the present case. From the perusal of the record, it reveals that the accused-applicants are in custody since 21.12.2017. They are not required for further investigation of the case. The presentation of challan and disposal thereof, would take sufficient long time. So in these circumstances no useful purpose would be served by detaining the accused behind the bars, rather it would be a burden upon the State Exchequer. Therefore, accused/applicants Sachin Singh @ Sucha and Surjit Singh @ Situ are

ordered to be released on bail on their furnishing bail bonds in the sum of Rs.30,000/- each with one surety in the like amount to the satisfaction of Illaqa/Duty Magistrate with the conditions that (1) they shall appear in the court on each and every date of hearing, (2) that they will not leave India without prior permission of the court and (3) that they shall not tamper with evidence of prosecution. The bail application is allowed accordingly. Police record be returned. File be consigned to record room.

Announced.
2.1.2018.
(Naveen)

(Sandeep Kumar Singla)
Additional Sessions Judge,
Hoshiarpur.
UID No.PB0118