

**IN THE COURT OF SONALI, JUDICIAL
MAGISTRATE FIRST CLASS-II, SULTANPUR LODHI**

CNR No. PBKPB10014692025

Case No. BA/181/2025



Presented on : 18-09-2025

Registered on : 18-09-2025

Decided on : 20-09-2025

Hukam Singh, aged about 32 years son of Lakhwant Singh, resident of village Lattianwal, P.P. Mothanwal, Tehsil Sultanpur Lodhi, District Kapurthala .

....Accused/Applicant

Versus

State of Punjab

FIR No.18 dated 20.03.2025

U/s 304 BNS

P.S. Fattu DHINGA, Tehsil Sultanpur Lodhi,

District Kapurthala.

APPLICATION FOR BAIL UNDER SECTION 480 of BNSS

Present :- Sh. Satvir Mahipal, counsels for accused/applicant
Sh. Vikas Sabharwal, APP for the state.

ORDER

1. This order shall dispose off an application seeking bail under Section 480 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) moved by the accused/applicant, **Hukam Singh**, through his counsel in connection with FIR No.18 dated 20.03.2025 registered under Section 304 of

Bharatiya Nyaya Sanhita, 2023 (BNS) at P.S.Fattudhinga, Tehsil Sultanpur Lodhi, District Kapurthala.

2. In brief, version of the accused/applicant is that the police has registered the above noted false and frivolous case against him. It is submitted that nothing remains to be recovered from him and he is no longer required for any custodial investigation or interrogation, as he has already been in custody since the date of his arrest. It is further contended that the conclusion of trial will take considerable time. Ultimately, the prayer has been made by the accused/applicant that he may kindly be released on bail.

3. Ahlmad has reported that as per CIS, this is the first bail application of accused pertaining to the abovesaid FIR.

4. Upon notice, though the prosecution has not filed any written reply, however, contested the bail application by advancing arguments and ultimately prayed for dismissal of the same.

5. I have heard Learned counsel for the accused/applicant and Learned APP for the State. Scrutiny of the police record, including FIR, reveals that the accused is indicted in this case for snatching movable properties like five gold rings, one gold chain, one silver Karha, cash amounting to Rs. 25,000/- and two mobile phones. It is contended that the present FIR was initially registered against unknown persons and name of the applicant was added later without any substantive basis. A significant argument advanced is that the accused-applicant sustained a gun shot injury to his leg from the police party and was admitted to hospital, and that the police, apprehending legal action from him, registered not only the present false case but also multiple other

criminal cases against him which are detailed as follows:-

Sr. No.	FIR No.	Dated	Registered Under Sections/ Acts	Police Station
1.	43	27.05.2025	109 BNS, 25/27/54/59	Dhilwan
2.	107	26.05.2025	309(4), 309 (6) BNS	Sadar
3.	32	26.05.2025	304 BNS	Fattudhinga
4.	41	26.05.2025	304 (2), 127 BNS	Talwandi Chaudhiran
5.	15	10.03.2025	304 BNS	Fattudhinga

The alleged offence punishable under section 304 BNS is a non-bailable offence and in such type of offences, it depends upon the court whether to exercise its discretion in granting bail or not. In the present case, the challan against accused **Hukam Singh** has already been presented by the police and accused has been in judicial custody since the date of his arrest. In view of these circumstances, this court is of the opinion that conclusion of trial will take sufficient time and furthermore, bail is the rule and jail is exception, except where there are circumstances suggestive of fleeing of accused from justice or thwarting. This view got support from **State of Rajasthan, Jaipur Vs. Bal Chand alias Baliay AIR 1977 (SC) 2447**. Thus, without commenting upon the merits of case, the present bail application of the accused/applicant stands allowed and he is ordered to be released on bail on his furnishing bail bonds in the sum of **Rs.40,000/-** with one

surety in the like amount each, subject to the following conditions:-

(i) The accused/applicants will not commit an offence similar to offence of which they are accused.

(ii) The accused/applicants will appear on each and every date of hearing whenever directed by the Court.

(iii) The accused/applicants will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer or tamper with the evidence.

6. The bail and surety bonds are not furnished. The file of the present application for bail be attached with the remand papers pending in this court.

**Pronounced in the open
Court.**

Date of Order: 20.08.2025
Deepak

(Sonali)
Judicial Magistrate First Class-II,
Sultanpur Lodhi
UID No . PB0822