

PBGDA10015582023



Presented on : 16-03-2023  
Registered on : 16-03-2023  
Decided on : 20-03-2023  
Duration : 0 years, 0 months, 4 days

**IN THE COURT OF  
Sub-Divisional Judicial Magistrate  
AT Batala, Gurdaspur  
(Presided Over by Ms. Vineeta Luthra)**

**BA/174/2023**

**State Vs. Jarmanjit Singh**

FIR No.155 of 25.09.2022,  
U/s. 457, 380, 411 IPC,  
P.S. City, Batala.

Present: Sh. Ravinder Singh, Ld.APP for the State.  
Sh. K.S.Boparai, Advocate, for applicant/accused

1. Heard on the bail application filed by accused/applicant **Jarmanjit Singh** wherein it was pleaded that accused/applicant is innocent and has committed no offence, but the police of police station City Batala has been falsely implicated the accused-applicant in the present case. That the accused-applicant was arrested in this case and since he is in judicial custody since long. That the accused-applicant is no longer required for the purpose of investigation or recovery as the police of P.S.City Batala planted false and frivolous recovery upon the accused-applicant and no useful purpose will be served by keeping the accused-applicant behind the bars. That the trial is to take considerable time to conclude and further detention of the accused/applicant will not enhance the cause of prosecution. As such, learned counsel for accused/applicant has prayed for release of accused/applicant on bail.

2. Upon notice, learned APP for the State, appeared and opposed the bail application on the ground that accused has committed a serious offence. As such prayer for dismissal of the present bail application has been made. SI Nishan Singh No.1372/ASR appeared and suffered a statement that there

Vineeta Luthra, PCS,  
SDJM, Batala, 20.03.2023

are two accused in this case, one Jarmanjit Singh and the other accused is unknown. Accused Jarmanjit Singh is in custody since 16.01.2023 and recovery of one photocopy RC, motorcycle no.PB-06-AH-3579, one photocopy of Aadhar Card Kirpal Singh, one bill photocopy of Soma Auto Sale and purchase Adda Dehriwal and there is no other FIR registered against the accused.

3. I have considered the contradictory versions of the contesting parties and have deliberated over the arguments advanced in the light of documents, peculiar facts and circumstances and submissions made.

4. Record perused. Perusal of file reveals that applicant/accused is already in judicial custody since 16.01.2023 and the presentation of the challan and conclusion of trial will take time. Moreover, recovery has already been effected. The criminality of accused, if any, is a matter of trial and it is the cardinal principle of criminal jurisprudence that accused is presumed to be innocent, until proved guilty. Thus, no useful purpose will be served by keeping the accused behind bars, rather it will be a burden on State Exchequer. As such, the present bail application is hereby allowed and accused namely **Jarmanjit Singh** is ordered to be released on bail on furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount. Bail bonds and surety bonds not furnished.

5. Papers be attached with the main challan.

Pronounced in open Court :  
Dated: 20.03.2022

*Nitesh Kumar Stenographer-II*

(Vineeta Luthra) PCS,  
Sub Divisional Judicial Magistrate,  
Batala. UID No. PB0349