

**IN THE COURT OF MS. JATINDER KAUR,
SESSIONS JUDGE, FAZILKA (UID No. PB0062).**

CIS NO. BA/1753/2024.

Date of Instt: 07.09.2024.

CNR No. PBFZC0-004592-2024.

DATE OF ORDER: 11.09.2024.

Sukhpreet Singh age 26 years son of Diljeet Singh resident of village Jhugiyana Kale, Valtaha, Tarn Taran.

-----Applicant-accused.

Versus

State of Punjab

-----Respondent

Application for bail u/s 483 of BNSS in FIR no. 59 dated 12.06.2024 under section 408 IPC, P.S. Arniwala.

Present: Sh. Anil Setia Advocate counsel for applicant.
Sh. Wazir Kamboj, P.P. for the State-respondent.

ORDER

This order of mine shall dispose off present bail application U/S 483 BNSS moved by applicant-accused Sukhpreet Singh in the aforementioned FIR.

2. The brief facts leading to the filing of the present bail application are that the present FIR was got registered on the written application moved by Harjit Singh son of Paramjeet Singh resident of village Noorpur Hakima, Dharamkot District Moga to SSP, Fazilka alleging that he is working as Branch Manager in Bharat Financial Inclusion Ltd. (Indusind Bank) backside State Bank of India branch, Arniwala Sheikh Subhan, which is recognized by the Govt. of India. The aforesaid company offers loans to the poor persons for running their own business. Sukhpreet Singh is working as Field Staff in the said company,

who went home in the morning of 16.06.2023 and while going home, he took with him the recovered loan installments amounting to Rs. 30,277/- and some of the members also deposited total amount of Rs. 1,34,911/- with Sukhpreet Singh through U.P.I., but he did not deposit the above said amounts with the company and thus committed fraud of Rs. 1,65,188/- with the company. Now he has run away from the company. On the basis of these allegations, inquiry was conducted by D.S.P. Jalalabad and thereafter, the present FIR was registered against the applicant-accused.

Accused is stated to be in custody since 06.08.2024. It has been mentioned in the application that a regular bail application applied by applicant-accused was dismissed by the Court of Shri Parveen Singh, learned J.M.I.C. Fazilka vide order dated 02.09.2024. Hence, the present bail application has been moved on his behalf under section 483 of BNSS.

3. Notice of the bail application was given to the State. Learned P.P. appeared on behalf of the State and contested the same for the State.

4. This Court has heard the contentions raised by learned counsel for the applicant as well as learned P.P. for the State and have also perused the record of the case.

5. The learned counsel for the applicant-accused contended that the applicant-accused is in judicial custody since 06.08.2024. The applicant-accused has not committed any offence and he has been falsely implicated in the present case. He further contended that as per prosecution allegations, bail applicant left for his home on 16.06.2023 and took away the amount of Rs. 30,277/- with him, but actually he did not abscond away on 16.06.2023, rather he joined UP Money Limited Company at Guruharsahai on 20.06.2023 well within the prior notice and knowledge of

complainant. Nothing is to be recovered from the applicant-accused. The applicant undertakes to appear on each and every date of hearing and shall not leave the country without its prior permission and shall not tamper with prosecution evidence. The conclusion of trial shall take long time and prayer was made for acceptance of the present bail application.

Whereas, on the other hand, learned P.P. for the State opposed the present bail application. He has contended that bail applicant has committed fraud with the customers of the company by embezzling amount of Rs. 1,65,188/- and if he is granted regular bail, he may influence the prosecution witnesses, which may hamper the ongoing investigation/trial and thus, applicant-accused does not deserve the benefit of bail and prayed for the dismissal of bail application.

6. This court has considered the rival contentions of both the sides. The applicant is in judicial custody since 06.08.2024 i.e. for the past more than one month. A regular bail application applied on behalf of applicant-accused has already been dismissed by the learned Trial Magistrate vide order dated 02.09.2024, as is evident from computer generated copy of said order supplied by learned counsel for bail applicant. Moreover, presentation of challan and conclusion of trial shall take long time. No useful purpose shall be served by detaining the applicant in jail for an indefinite period. So the allegations levelled against the applicant are not suffice for his detention in the jail till the conclusion of trial. So, in these circumstances, it is a fit case where the benefit of regular bail must be given to accused-applicant.

7. Resultantly, the application succeeds and is, hereby, accepted. The accused-applicant is admitted to bail on his furnishing personal bonds in the sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety of the

like amount before the Illaqa Magistrate/Duty Magistrate. Applicant shall appear in the court on each and every date of hearing; shall not tamper with the prosecution evidence and shall not leave India without its prior permission. The observation made here above shall have no effect on the merits of the case. Bail Papers be consigned to the record room after due compilation. Police record be returned. Sd/-

Pronounced
Dated: 11.09.2024.
'Bhola Shankar'
'Stenographer Gr.I'

(Jatinder Kaur),
Sessions Judge,
Fazilka (UID No. PB0062)

BA 1753 of 2024 Sukhpreet Singh versus State of Punjab
CNR No. PBFZC0-004592-2024

Present: Sh. Anil Setia Advocate counsel for applicant.
Sh. Wazir Kamboj, P.P. for the State.

Report of Ahlmad perused. Heard. Vide my separate & detailed order of today, the bail application u/s 483 BNSS applied on behalf of aforementioned applicant-accused has been disposed off, as recorded therein.

Bail application file be consigned to the Record Room,
Fazilka, after due compilation. Sd/-

Pronounced
Dated: 11.09.2024.

‘Bhola Shankar’
‘Stenographer Gr.I’

(Jatinder Kaur),
Sessions Judge,
Fazilka (UID No. PB0062)