

**IN THE COURT OF SHRI AVTAR SINGH BARDA,
ADDITIONAL SESSIONS JUDGE,
LUDHIANA.**

UNIQUE IDENTIFICATION CODE NO. PB0159)

B.A.No. 17526 dated 03.12.2018.
Computer Generated No.17526/2018.
Date of order: 21.12.2018.
Next date for hearing: 05.01.2019.

Amarjit Kaur wife of Jarnail Singh resident of H.No. 289, Guru Arjun
Dev Nagar, Samrala Chowk, Ludhiana.

Versus

Harpal Singh son of Inder Singh resident of H.No.43, Ward No.18,
Shaheed Udham Singh Road, Sunam Sangrur, previously posted at
P.S.Division No.7, Ludhiana. .

BAIL APPLICATION U/S 438 OF THE CR.P.C

ON BEHALF OF ASI HARPAL SINGH.

Present: Shri Shivam Sood advocate learned
counsel for accused/applicant.
Sh.NarinderAdia advocate learned counsel for complainant.

O R D E R

1. Record received. Heard on the bail application under section 438
Cr.P.C.
2. Complainant Amarjit Kaur has filed complaint u/ss 342, 323, 506,
34 of I.P.C against preset accused/applicant another. Thereafter, on
the basis of preliminary evidence led and submissions made,
learned trial court summoned accused/applicant alongwith another
under section 342, 323, 506, 34 of Indian Penal Code vide order

dated 31.1.2013.

3. Learned counsel for accused/applicant argued that accused has been falsely implicated who never received any summons and wrongly declared proclaimed offender. He has apprehension of his arrest and in the last he prayed for admitting the accused on anticipatory bail.
4. On the other hand complainant has opposed the bail application filed on behalf of the accused and prayed for dismissal of the same.
5. I have heard learned counsels for both the parties and have gone through the entire record carefully with their able assistance.
6. The accused/applicant alongwith another has been summoned under section 342, 323, 506, 34 of Indian Penal Code vide order dated 31.1.2013 by the learned trial court. As it is a private complaint, so custodial interrogation of the accused/applicant is not required and no recovery is to be effected from him. The trial of the complaint case is yet to commence and no useful purpose would be served if accused is sent to judicial custody as the conclusion of trial will take considerable time and allegations are still to be substantiated by way of leading evidence at the trial by the complainant.
7. Accordingly, in view of the totality of the aforesaid facts and circumstances of the case, accused/applicant is ordered to be admitted to **interim** bail in the event of his arrest subject to furnishing bail/surety bonds to the satisfaction of learned trial court/Illaqa Magistrate/Duty Magistrate on appearing by the accused/applicants before the aforesaid court concerned within a

period of 15 days positively from today, failing which this order shall be deemed to be inoperative.

Record of learned trial court be returned alongwith copy of this order. Now the present bail application stands adjourned to 5.1.2019 for consideration.

Date of Order: 21.12.2018.

Next date:05.1.2019.

Purpose.

Kashmira steno.II.

Avtar Singh Barda,
ASJ,Ldh UID PB0159

This order has been directly dictated on the computer.