

IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,
PHAGWARA.
(PRESIDED OVER BY Ms. PRIYANKA SONDHI, PCS)
(UID No.PB00727)

CNR No. PBKPA10016722025

Case No. BA/172/2025



Presented on : 05-08-2025
Registered on : 05-08-2025
Application : 11-08-2025
Decided on :

Ashutosh @ Ladi, aged about 26 years, son of Shital Ram, resident of Village Khusropur Abadi, P.S. Sadar Jamsheer, Jalandhar.

.....Accused/Applicant

Versus

State of Punjab

FIR No.54 dated 06.06.2024
U/s 379, 411 of IPC
P.S. Sadar, Phagwara,
District Kapurthala.

Present: Sh.Satnam Paul, Advocate for applicant/accused.
Sh.Arinder Singh Rai, Ld. APP for the State.

Bail Application under Section 480 BNSS, 2023

1. Police record produced. Statement of IO recorded.
Arguments on bail application heard.
2. This order of mine shall dispose off a bail application moved on behalf of the applicant/accused that he has been falsely implicated in this case and has nothing to do with the allegations levelled in the FIR. It is further pleaded that the applicant/accused undertakes not to tamper with the prosecution evidence nor will abscond and shall abide by all the terms

and conditions imposed by this Court, if the liberty of bail is granted to the accused.

3. Notice of the bail application was given to the learned APP for the State and Investigating Officer. Learned APP for the State did not file any written reply but orally prayed to dismiss the same.

4. ASI Jaswinder Pal No.1048/Kpt, P.S. Sadar Phagwara, District Kapurthala has come present in the Court and suffered a statement that one another case bearing FIR No.78 dated 29.06.2024 under Section 457,380, 411 r/w Section 34 of IPC, PS Jalandhar Cantt has been registered against the accused, which is pending in Jalandhar.

5. Brief facts asserted through the bail application are that accused/applicant has been arrested by the police on 02.03.2025 and is in judicial custody since then. His co-accused have already been released in the above noted FIR.

6. Perusal of file reveals that challan has already been filed in the present FIR and the case is pending at the stage of examination of prosecution witnesses. Accused is in custody since 02.03.2025 and trial of the case is likely to take long time. No useful purpose will be served by keeping the accused-applicant in custody. Moreover, bail and not jail is the rule of law and it has also been held by the Supreme Court of India in the judgment titled as **SATENDER KUMAR ANTIL versus CENTRAL BUREAU OF INVESTIGATION & ANR, 2022** that “*Criminal courts in general with the trial court in particular are the guardian angels of liberty. Liberty, as embedded in the Code, has to be preserved, protected, and enforced by the Criminal Courts. Any conscious failure by the Criminal Courts would constitute an affront to liberty. It is the pious duty of the*

Criminal Court to zealously guard and keep a consistent vision in safeguarding the constitutional values and ethos. A criminal court must uphold the constitutional thrust with responsibility mandated on them by acting akin to a high priest". Hence, accused/applicant is ordered to be released on bail on his furnishing personal bail bonds in the sum of **₹50,000/- with one surety in the like amount**, subject to following conditions:-

- (i) The accused/applicant shall remain present before the Court on each and every date of hearing.
- (ii) The accused/applicant shall not influence the witnesses of the prosecution nor shall try to intimidate or threaten the witnesses of the prosecution.
- (iii) The accused/applicant shall not leave India, without intimation and prior permission of the Court.

Bail application stands disposed of accordingly. Copy of this order be forwarded through E-mail to the concerned Superintendent of Jail, in which the accused is lodged. Personal bail bonds and surety bond not furnished. Papers be attached with the pending papers/main file.

Pronounced in open Court:
Dated: 11.08.2025.
Prabhdeep

Priyanka Sondhi
Judicial Magistrate 1st Class,
Phagwara (UID No.PB00727)
(Directly dictated on computer)