

State Vs Rahul Kumar BA-

Present: Sh. Jagdev Singh Toora, Advocate for
applicant/accused Rahul Sharma.
Ms. Pooja Singal, Addl. PP for the state

On notice Ld.Addl.PP appeared for respondent-State. Main file pending in this court for 11.1.2019 put up by the Ahlamd. Same is perused. Therein this applicant/accused being absent on 9.10.2018 has been directed to be served through non-bailable warrants for 29.11.2018. After such adjournment in the main case this applicant/accused had surrendered and moved this application for regular bail on the said date i.e 29.11.2018. On that day he was sent in judicial custody. Heard on this application of applicant/accused for fresh regular bail in this case.

2. It is submitted by Ld. Counsel for applicant/accused that earlier latter was regularly appearing in court. On 9.10.2018 this case was adjourned for 29.11.2018 but due to some misunderstanding, he noted down the wrong date and for this reason he could not appear on 29.11.2018. On 29.11.2018 he came to know that he was marked absent and his service was ordered to be procured through non-bailable warrants. His absence was unintentional. Ld. Counsel prayed that keeping in view such conduct of applicant he may be admitted to fresh regular bail.

3. Ld. Addl. PP opposed the bail application stating that accused had not appeared intentionally on last date of hearing and his releasing on bail again will give him another opportunity to fall absent and delay the proceedings. She prayed that this application be dismissed.

4. Perusal of file shows that since the receipt of

challan, after commitment proceedings, this accused/applicant has been regularly appearing in the current proceedings until on 9.10.2018. His such absence is of just one date and is attributed to wrong noting down of date of hearing. Applicant has suffered detention of about four days by now which definitely also will deter him from falling absent again. Conclusion of trial will take considerable time. No useful purpose would be served by detaining him behind bars for indefinite period. Keeping in view these circumstances and contents of bail application, this application is allowed. Accused/applicant is admitted to fresh regular bail on his furnishing personal bond in the sum of Rs. 60,000/- with one surety in the like amount. Bail bonds not furnished. Main file be returned to Ahlmad. Papers be tagged with main file.

Pronounced in open court.

3.12.2018

(Rajeev K. Beri),
Addl. Sessions Judge,
Ludhiana(UID No. PB-0149)

Rajinder Pal,
Stenographer-I