

State Vs Malkit Singh

FIR No.90 Dated: 30.10.2018
U/s 61/1/14 Excise Act
PS Sadar Ahmedgarh

Present: Ld. APP for the state.
Ms. Shagun Gupta Adv counsel for the accused.

This order of mine shall dispose off the bail application moved on behalf of accused Malkit Singh.

It has been averred in the application that the accused is in judicial custody. That the accused has been falsely implicated in this case and he has not committed any offence. Nothing is likely to be recovered from the accused/applicant and no useful purpose would be served by sending the accused/applicant behind bars as trial of the case will take long time. Further accused will be abide by all the terms and conditions of the court. Consequently, the present application be allowed.

On other hand Learned APP of the state argued that bail is right of those persons who undertake to assist the court in deciding the matter. Learned APP for the state further argued that the accused has committed the serious offence, therefore, the present application be rejected.

This court has heard the learned APP for the state and learned counsel for the accused/applicant and scrutinize the record available on the bail. The court is of the considered view that no useful purpose will be served by keeping the accused behind bars. Rather the accused will be a burden to the state exchequer. Accused in custody since 31/10/2018. Perusal of papers further reveals that accused is not required for further interrogation purpose. Therefore, keeping in view all the facts and circumstances of the present case and the period of custody the bail application of the accused is allowed. Applicant cum accused is directed to furnish bail bonds to the tune of Rs. 20,000/-with one surety in the like amount and subject to following conditions:-

1. That accused shall appear before the court on each and every date.
2. That the accused shall not leave India without prior permission of the court.
3. That the accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

Requisite bail bonds furnished which are accepted and attested. Release warrants of accused be issued.

(Jaspreet Kaur Simak)
JMIC, Malerkotla.01/11/2018