

Sukhwinder Singh vs State

FIR No. 53 dated 28.05.2018

U/S 379, 454 IPC

PS. Kotbhai

Present Sh. M.S.Sidhu Advocate, counsel for accused Sukhwinder Singh

Sh. Jashandeep Singh, APP for the State.

ORDER

This order of mine shall dispose of application moved for grant of bail to the accused Sukhwinder Singh. Learned Counsel for accused has submitted that a false FIR has been registered by police against accused /applicant. Accused is in custody since long. There is no evidence with the prosecution to connect the accused / applicant with alleged offences. He is innocent. No recovery is to be effected from the accused /applicant. The conclusion of the trial will also take long time, no useful purpose will be served by detaining the accused/applicant in judicial lock up. So, he may be given benefit of regular bail.

Notice of the bail application was given to Ld. APP for the State, but he has not filed any written reply to the application, but has orally opposed the application on the ground that if bail is granted to the accused, he is likely to abuse the concession of the bail. Statement of HC Palwinder Singh recorded to the effect that except the present FIR, no other case is registered against accused Sukhwinder Singh. He has not been granted bail from any other court. NO other bail application of accused is pending in any court in this case. He is not declared proclaimed person in any other case except the present case. Recovery has been effected from the accused in this case.

Heard. Record perused. Perusal of the file reveals that earlier accused absented himself from the proceedings of the court on 31.03.2023 his bail order and bail bonds were cancelled and non-bailable warrants of arrest were issued against him and later on he was declared proclaimed person vide order dated 21.12.2023. Thereafter, on 27.03.2025, on the application moved by SHO, production warrant of accused Sukhwinder Singh was issued and he produced in the court on 17.05.2025 and he was

remanded to Judicial custody. Accused is in judicial custody since 17.05.2025. Accused might have learned lesson for absenting himself from the court proceedings. Conclusion of trial is likely to take some time. No useful purpose will be served by detaining the accused behind the bars, rather, it will put an extra burden on the state exchequer. Considering the facts and circumstances of the case and period of custody, the accused Sukhwinder Singh is **released on bail** on furnishing bail bonds in the sum of Rs. 60,000/- with one surety in the like amount, subject to following conditions:

1. The accused shall appear in the Court on each and every date of hearing.
2. The accused shall not tamper with the evidence.
3. The accused shall not leave the country during the trial of the case without prior permission of the court.

Bail bonds and surety bonds not furnished. Papers be tagged with the main file. Now case is adjourned to 14.10.2025, the date already fixed.

Pronounced in open court
Dated: 08.10.2025
Prabha Steno I
(dictated directly)

Gaurav Mittal, PCS
Judicial Magistrate 1st Class
Gidderbaha/ UID: PB0778