

**In the Court of Miss Heena Aggarwal Judicial Magistrate Ist Class,
Garhshankar.**

Bail Application no.221 of 2019

CIS No. BA/17/2019

Date of institution: 04.05.2019

Date of order: 06.05.2019

State Versus Mewa Singh son of Pakhar Singh, resident
of village Macchian, PS Meharban,
District Ludhiana.

FIR no.124 dated 20.11.2014
Under Section 419, 420, 406, 465, 467,
468, 471, 120B IPC,
Police Station Mahilpur.

Present: Sh Charanjit Singh, Ld. APP for State,
Sh SK Banga Adv counsel for accused Mewa Singh.

Application for grant of bail

ORDER

This order of mine shall dispose of bail application filed on behalf of the accused Mewa Singh in case FIR no.124 dated 20.11.2014, under Sections 419, 420, 406, 465, 467, 468, 471, 120B IPC, Police Station Mahilpur.

GROUND OF APPLICATION

2 The bail application proceeds on the grounds that applicant/accused was declared proclaimed offender by this court on 01.12.2018 and he is in judicial custody since 14.12.2018. It is further submitted that no useful purpose will be served to confine the applicant/accused behind the bars. The applicant/accused is only bread winner of the family. The applicant/accused undertakes to abide by all the terms and conditions imposed by this court, if he is released on bail. The applicant/accused undertakes not to leave the country without prior

(Heena Aggarwal)
JMIC, Garhshankar.

permission of this court. The applicant/accused undertakes not to tamper with the prosecution evidence and will not misuse the concession of bail if granted and lastly prayer to allow the bail application was made.

3 Notice of the bail application was issued to the State through learned APP for the State who is present in the court, but learned APP for the State did not file the reply to the bail application but contested the bail application by submitting that the accused has committed heinous crime and more over he has been declared proclaimed offender and in view of this the bail application filed on behalf of the accused Mewa Singh deserves dismissal.

FINDINGS

4 I have heard the learned APP for the State and learned defence counsel and perused the case file carefully. As per prosecution story, one Joginder Singh son of Bhag Singh was owner of land measuring 38 Kanals 11 Marlas situated in village Langeri, Police Station Mahilpur, District Hoshiarpur and he has gone to Canada since long and had died in Canada in the year 1995. The land of Joginder Singh was being cultivated by complainant Malkiat Singh. However accused Mewa Singh son of Pakhar Singh in connivance with accused Jagtar Singh, Mohan Singh, Kuldeep Singh and Davinder Singh Nambardar of Mahilpur prepared fake documents by impersonating Joginder Singh on 12.8.2013 and obtained a loan of Rs.18,85,000/- against the afore said land of Joginder Singh from Central Bank of India, Branch Kohara whereas said Joginder Singh had already died in Canada and accordingly on finding fraud committed by the accused, FIR No.124 dated 20.11.2014 under Section 419, 420, 406, 465,

(Heena Aggarwal)
JMIC, Garhshankar.

467, 468, 471, 120B IPC Police Station Mahilpur was registered against the accused. Accused Mewa Singh was granted bail under Section 167 (2) Cr.P.C. vide order dated 04.03.2015 and thereafter absented from the court proceedings and was declared as proclaimed offender vide order dated 01.12.2018 and now he is in custody since 14.12.2018. The offence committed by the accused is grave in nature. There are chances of accused Mewa Singh flee from justice. He has already misused the concession of bail granted to him. If he is again granted bail, the trial of the case may get delayed. Thus, this court does not find any merits in the bail application filed by the applicant/accused Mewa Singh and accordingly the bail application of accused is hereby dismissed.

Announced

Dated: 06.05.2019
(Dinesh Singh, JW)

(Heena Aggarwal)
Judicial Magistrate Ist Class,
Garhshankar
(UID PB 0558)

(Heena Aggarwal)
JMIC, Garhshankar.

