

CNR No: PBSGC1-0018392-2023

BA/142/2023

FIR No.65 dated 1/7/2023 under Section 379 and 411 IPC,

P.S Sadar Ahmedgarh.

Kuldeep Singhc Vs. State

Present: Sh. RS Dhindsa, Adv., counsel for applicant-accused Kuldeep Singh

APP for the state.

Order

1. This order of mine shall dispose of bail application filed on behalf of the accused/applicant Kuldeep Singh stating therein that accused-applicant is an innocent person and has been falsely implicated in the present case and no recovery has been effected from the accused/applicant. The accused/applicant has not committed any alleged offence. It is further submitted that accused/applicant will abide all the terms and conditions imposed by the Court. The accused/applicant will not tamper with the prosecution evidence. The accused/applicant will undertake to appear before the Court as and when required by the Court and prayed for releasing him on bail.

2. Notice of this bail application was issued to Ld. APP for the State who appeared but did not file any reply to the same, but Ld. APP for the State contested the bail application and submitted that as per the offence committed by the accused, he is not entitled for concession of bail and the same may be dismissed.

3. I have heard the rival contentions of the Ld. APP for the state and Ld. Defence Counsel and perused the record carefully. Perusal of statement of complainant Rajwinder Singh reveals that on 27/6/2023 he came at Aroma Restaurant of village Kup Kalan from his village on his motor cycle bearing no.PB-55B-8502 for working and he parked his motor cycle under the tree in front of the Restaurant. When he returned

back from his work place at about at 6:30 PM, he found that his motor cycle was not there. He searched too much his motor cycle, but the same was not found anywhere. Lateron he came to know that his motor cycle was stolen by one Kuldeep Singh son of Pritam Singh and Ravi Singh son of Avtar Singh residents of village Kup Kalan in connivance with each other. After hearing the submissions of the parteis and after going through the file, this Court is of the view that nothing is required to be recovered from the accused. Conclusion of trial will take time as challan in the present case is not presented and police will take time to present the challan in the Court. Accused is not required for custodial interrogation. Moreover, applicant-accused is in custody since 01.7.2023. Hence, no useful purpose will be served by keeping the applicant-accused behind the bars. Hence, the applicant-accused Kuldeep Singh is admitted to bail on furnishing his bail bond in the sum of Rs.1,00,000/- with one surety in the like amount with the condition that accused will not abscond from the territorial jurisdiction. He will not tamper with the prosecution evidence or threaten any witness. He will not leave the limits of India without prior permission of the Court. He will appear in the trial Court on each and every date of hearing. Bail bonds and surety bonds not furnished by the ld counsel for accused. Application disposed of accordingly. Papers be attached with remand papers/FIR/main file.

4. The observation given above shall have no bearing on the merits of the case.

Date of Order: 13.07.2023

Brejesh Kumar

Stenographer Gr.-II

(Jinder Pal Singh)
JMJC-Malerkotla
UID No. PB00634