

Present :- Sh. Navdeep Singh, Advocate counsel for applicant/accused Jahid Ali.
Sh. Gurav Dewan, learned APP for the State.

Heard on the bail application moved on behalf of the accused Jahid Ali. Learned counsel for accused submits that accused has been falsely implicated in the present case and he is an innocent person and is in judicial custody since long. No offence as alleged in the present case has been committed by applicant/accused. Nothing is to be recovered from applicant/accused. He will abide by all the terms and conditions of the bail, if applicant/accused is released on bail.

2. Reply to the application has not been filed by prosecution. However, learned APP for the State orally opposed the same and argued that recovery has been effected from accused, hence his bail application is required to be declined.

3. After hearing the learned APP for the State and counsel for accused/applicant, It is observed that allegations against the accused Jahid Ali are that he is found in possession of mobile phone along with Sim No. 70871-97622, when he was lodged at New District Jail Nabha, being a under trial Prisoner and he used the above said sim after purchasing the same illegally on the name of Anmol Singh son of Surjit Singh, resident of Village Lope-Lope, District Firojpur. Accused is in judicial custody since 18.10.2023. Since the presentation of challan and conclusion of trial is likely to take considerable time and nothing is to be recovered from the accused. No useful purpose would be served by keeping the accused

behind the bars. Rather, he will be liability/burden of State Exchequer. So, keeping in view the facts and circumstances of the case, present bail application of accused Jahid Ali is allowed, subject to furnishing of bail and surety bonds in the sum of Rs. 30,000/- with one surety.

4. Application stands disposed off accordingly. Bail bonds and surety bonds not furnished. Papers of bail application be attached with remand papers.

Date of Order : 23.09.2024

*Rao Brinder Singh,
Stenographer-II*

Balkar Singh, PCS
Judicial Magistrate 1st Class
Nabha (PB0432)