

IN THE COURT OF SHRI MANJINDER SINGH,
ADDITIONAL SESSIONS JUDGE, BATHINDA

CNR No. PBBT01- 000360-2018

Decided on: 16.1.2018

CIS No. BA-141/2018

Satish kumar son of Dharampal, resident of Gali no. 3 Tapa Mandi,
District Barnala now resident of Shiv Apartment, Guru Nanak colony,
Dakholi, Zirakpur, Distt. Mohali.

.....Petitioner

versus

1. State of Punjab

.....Respondent

FIR NO. 45 dated 21.4.2017

u/s 174-A IPC

PS Phul, District Bathinda.

Present:- Shri Sarabjit Singh, Advocate, Counsel for petitioner/accused
Shri S.S. Gill, Addl. P.P. for State

ORDER:

This order will dispose a bail application u/s 438 Cr.P.C. filed
by accused-applicant named above, in FIR no.45 dated 21.4.2017 u/s 174-
A IPC PS Phul, District Bathinda.

2. Upon notice, this bail application was contested by ld.Addl.,
P.P. for State.

3. I have heard learned counsel for the accused-applicant,
ld.Addl. PP for State and have gone through the file very carefully with
their able assistance.

4. Learned Counsel for the accused-applicant pleaded accused
had no knowledge of the complaint filed by Sukhwinder Singh, in the
court of SDJM Phul and he never received any summons or notice issued

by the Court, due to which he could not appear before the Court and due to his non appearance, he was declared as proclaimed offender. His absence from the Court was not intentional. It is further pleaded that accused-applicant came to know about registration of the present case, when the police conducted raid at the house of accused in his absence. Hence, it is prayed that bail application may kindly be allowed.

4. On the other hand, Id.Addl.PP for state contended that offence attributed to the accused-applicant is of very serious in nature. No leniency is required in such like matter. Hence prayed for dismissal of bail application.

5. From the perusal of the police file, this Court finds that this case was registered on the basis of an order dated 17.4.2017 passed by the court of Sh. Sumit Bhalla, SDJM, Phul wherein applicant Satish Kumar was declared a proclaimed offender in complaint case filed by Sukhwinder Singh and SHO of PS Phul was directed to register an FIR u/s 174-A of IPC against Satish Kumar. In view of the contents of the FIR it is clear that accused-applicant was declared proclaimed offender in a criminal case due to which this FIR was registered at the instance of SDJM, Phul. It shows the conduct of the accused-applicant that in a criminal case pending before the said Court, he was having a casual approach and due to which he had not bothered to appear in the Court and ultimately was declared proclaimed offender. When the case has been registered against the proclaimed offender, then I do not deem it fit to grant concession of anticipatory bail to the accused-applicant because even now he is not appearing before the said Court and the bail application filed by accused-

applicant is hereby dismissed. File be consigned to the record room.

Pronounced in open Court
16.1.2018

Manjinder Singh,
Additional Sessions Judge,
Bathinda.
UID No.PB0064

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stenographer.

Dictated on computer directly.

Present:- Shri Sarabjit Singh, Advocate, Counsel for petitioner/accused
Shri S.S. Gill, Addl. P.P. for State

Heard. Vide my separate detailed order of today, bail
application stands dismissed. File be consigned to the record room.

Pronounced in open Court
16.1.2018

Manjinder Singh,
Additional Sessions Judge,
Bathinda.
UID No.PB0064

IN THE COURT OF SHRI MANJINDER SINGH,
ADDITIONAL SESSIONS JUDGE, BATHINDA

CNR No. PBBT01- 000361-2018

Decided on: 16.1.2018

CIS No. BA-142/2018

Satish kumar son of Dharampal, resident of Gali no. 3 Tapa Mandi,
District Barnala now resident of Shiv Apartment, Guru Nanak colony,
Dakholi, Zirakpur, Distt. Mohali.

.....Petitioner

versus

1. State of Punjab

.....Respondent

FIR NO. 98 dated 31.7.2017

u/s 174-A IPC

PS Phul, District Bathinda.

Present:- Shri Sarabjit Singh, Advocate, Counsel for petitioner/accused
Shri S.S. Gill, Addl. P.P. for State

ORDER:

This order will dispose a bail application u/s 438 Cr.P.C. filed
by accused-applicant named above, in FIR no.98 dated 31.7.2017 u/s 174-
A IPC PS Phul, District Bathinda.

2. Upon notice, this bail application was contested by ld.Addl.,
P.P. for State.

3. I have heard learned counsel for the accused-applicant,
ld.Addl. PP for State and have gone through the file very carefully with
their able assistance.

4. Learned Counsel for the accused-applicant pleaded accused
had no knowledge of the complaint filed by Sachin, in the court of SDJM
Phul and he never received any summons or notice issued by the Court,

due to which he could not appear before the Court and due to his non appearance, he was declared as proclaimed offender. His absence from the Court was not intentional. It is further pleaded that accused-applicant came to know about registration of the present case, when the police conducted raid at the house of accused in his absence. Hence, it is prayed that bail application may kindly be allowed.

4. On the other hand, Id.Addl.PP for state contended that offence attributed to the accused-applicant is of very serious in nature. No leniency is required in such like matter. Hence prayed for dismissal of bail application.

5. From the perusal of the police file, this Court finds that this case was registered on the basis of an order dated 26.7.2017 passed by the court of Sh. Sumit Bhalla, SDJM, Phul wherein applicant Satish Kumar was declared a proclaimed offender in complaint case filed by Sachin and SHO of PS Phul was directed to register an FIR u/s 174-A of IPC against Satish Kumar. In view of the contents of the FIR it is clear that accused-applicant was declared proclaimed offender in a criminal case due to which this FIR was registered at the instance of SDJM, Phul. It shows the conduct of the accused-applicant that in a criminal case pending before the said Court, he was having a casual approach and due to which he had not bothered to appear in the Court and ultimately was declared proclaimed offender. When the case has been registered against the proclaimed offender, then I do not deem it fit to grant concession of anticipatory bail to the accused-applicant because even now he is not appearing before the said Court and the bail application filed by accused-applicant is hereby

dismissed. File be consigned to the record room.

Pronounced in open Court
16.1.2018

Manjinder Singh,
Additional Sessions Judge,
Bathinda.
UID No.PB0064

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stenographer.

Dictated on computer directly.

Present:- Shri Sarabjit Singh, Advocate, Counsel for petitioner/accused
Shri S.S. Gill, Addl. P.P. for State

Heard. Vide my separate detailed order of today, bail application stands dismissed. File be consigned to the record room.

Pronounced in open Court
16.1.2018

Manjinder Singh,
Additional Sessions Judge,
Bathinda.
UID No.PB0064