

In the court of Shri Jagdeep Singh Marok,
Addl. Sessions Judge, Ludhiana.
(Unique Identification Code No. PB-0074)

Bail Application No.1438/2020

CNR No. PBLD01-004860-2020

Date of Order: 06.03.2020

State	Versus	Ajaib Singh @ Jaiba son of Sh. Sant Ram, resident of Main Gali, Mohalla Baba Deep Singh Nagar, Tajpur Road, Ludhiana.
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FIR No. 297 dated 13.09.2018

Under Sections 457,380,411,413 of IPC

P.S. Division No.7, Ludhiana.

(Bail Application under Section 439 Cr.PC)

Present: Shri Jaswinder Singh Jhuner Adv., counsel for
applicant.

Shri Dinesh Verma, Addl.P.P. for the State.

ORDER:

Heard on the application having been moved by
applicant for grant of bail to him in view of the provisions U/s 439
Cr.P.C. in the above referred case.

2. In the application, it has been claimed that applicant
has been falsely implicated in this case. No offence has been
committed by the applicant. Nothing is to be recovered from the
applicant. The applicant is in custody since 13.09.2018. The
presentation of challan and conclusion of trial may take long time
and no useful purpose would be served by detaining the applicant

in judicial custody. So, under these circumstances, the applicant may be granted concession of bail.

3. Pursuant to the notice given to the State, Shri Dinesh Verma, Addl.P.P. for the State appeared and contested the claim of the applicant with the plea that the allegations levelled against the applicant are serious in nature. So, the applicant is claimed to be not deserving the concession of bail.

4. I have given thoughtful consideration to the respective submissions of both sides and gone through the record on file.

5. There is no denying the fact that accused/applicant has been arrested in this case on 13.09.2018 and he is now in judicial custody. Moreover, the challan has not yet been presented in this case. The alleged recovery has already been effected and it appears that nothing is to be recovered from the applicants now. Criminal liability of the applicant is yet to be assessed during the course of the trial. Parties are having rival contentions and they have yet to lead evidence in support of their respective averments. The conclusion of trial may take long time and no useful purpose would be served by detaining the applicant in judicial custody. It appears that no useful purpose would be served by detaining the applicant more in judicial custody as it will amount to a burden on the said exchequer. So applying these considerations and keeping in view of facts and circumstances of the case, the application having been moved by the applicant is hereby allowed and he is ordered to be admitted to bail, subject to furnishing the bail bonds

to the satisfaction of the learned Illaqa Magistrate/Duty Magistrate with the conditions:-

(i) That the applicant shall not leave India without the prior permission of the trial Court;

(ii) That the applicant shall not give any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

The application stands disposed of without expressing any opinion on the merits of the case. Police record be returned along with copy of this order. File be consigned to the record room.

Pronounced;
Dt; 06.03.2020

Ajay Sarin, SG/II

(Jagdeep Singh Marok)
Addl. Sessions Judge,
Ludhiana (UID No.PB 0074)