

**IN THE COURT OF KANWAL JIT SINGH,  
JUDICIAL MAGISTRATE FIRST CLASS, MALOUT,  
DISTRICT MUKTSAR SHAIB.**

**CNR No. : PBSMB1-000843-2021**  
**File No. : CHI/133/2021**  
**Date of Institution: 02.04.2021**  
**Decided on : 13.03.2024**

State

Vs.

Ravel Singh @ Avtar Singh @ Kakku son of Natha Singh, resident of village Kiralgarh, District Amritsar.

.....Accused

F.I.R. No.39 dated 08.03.2021  
Under Section: 229 A IPC  
Police Station Kabarwala.

Present: Ld. APP for the State.  
Accused in custody represented by Sh. N.S.Uppal,  
Advocate.

**JUDGMENT**

1. The accused has been sent up by the police of Police Station Kabarwala before the Court to face the trial for commission of offence under section 229 A IPC.

2. Accused Ravel Singh is being prosecuted for commission of an offence punishable under Section 229A IPC on the substantive accusations that accused have failed to appear in the Court in FIR No. 35/2005 P.S.Sadar Malout while he was released on bail before the Court of Sh. A.S.Shergil the then JMIC Malout. On the basis of this, FIR was registered. Investigation was initiated. Accused was arrested.

Statement of witnesses were recorded. And, after completion of investigation challan was presented against the accused.

3. On presentation of challan, copies of challan and others documents were supplied to the accused free of cost as required u/s 207 Cr.P.C.

4. Finding a prima facie case u/s 229A IPC, accused was charge sheeted under the said section to which he pleaded not guilty and claimed trial.

5. Prosecution examined ASI Gurmeet Singh as PW-1 who proved on record i.e. ruqa Ex.P1, FIR Ex.P2, arrest memo Ex.P3, personal search memo Ex.P4 and copy of order dated 06.04.2009 Ex.P5.

Thereafter, learned APP for the State tendered the certified copy of order dated 03.05.2005 in FIR No. 35 Ex.PA, certified copy of order dated 06.03.2008 in FIR No. 35 Ex.PB closed the prosecution evidence.

6. After conclusion of the prosecution evidence, statement of accused as required under section 313 Cr.P.C was recorded, wherein the entire incriminating evidence against the accused was put before him to which the accused pleaded his innocence. He further stated that he has been falsely implicated in the present case. Accused opted not to lead defence evidence.

I have heard the learned APP for the state and learned defence Counsel and after giving the thoughtful consideration to the arguments raised by the learned APP for the state and learned defence Counsel, it is observed that from the documents proved by PW-1 ASI Gurmeet Singh Ex.P5, it is clear that the accused was declared PO vide order dated 06.04.2009 passed by learned JMIC Malout and prosecution has fully proved its case beyond reasonable doubt and there is not a single loop hole from which a doubt could be created in the mind of the court that prosecution has failed to prove its case.

Ld. Counsel for the accused argued that he has been falsely implicated in the present case. However, the accused has not shown any reason that why prosecution would try to falsely implicate the accused in the present case. As, he did not dare to cross-examination the prosecution witnesses to impeach their truthfulness and veracity which means he has admitted the case of the prosecution. It is noteworthy that in the case in hand the official witnesses have fully supported the case of prosecution and no material contradiction worth the name has been pointed out in their statements. There is no enmity of the accused with the Investigating Officer or other members of the police to falsely implicate him in the present case. Even in his statement under Section 313 Cr.P.C. he has not taken any plea that there was an enmity of the I/O or any of the members of the police with the accused therefore, there is no material to doubt the credibility

of the prosecution witnesses

Further, there is no need of independent witness as it is clearly proved that he himself did not appear in the Court and later on he was declared PO. Even if any independent witness had been examined then also it would not have affected the merits of the case.

As such, the court finds no reason to dis-believe the testimony of the prosecution witness and the documentary evidence proved by the prosecution. In these circumstances, this court is of the considered view that the guilt of the accused has been duly proved by the prosecution beyond shadow of any reasonable doubt.

Keeping in view the above said discussion of mine, it is held that the prosecution has fully established the link evidence and also proved the guilt of the accused Ravel Singh under Section 229A IPC beyond the shadow of any reasonable doubt. Therefore, the accused Ravel Singh is held guilty for committing an offence punishable under Section 229A IPC. Let, the convict Ravel Singh be heard on quantum of sentence.

Pronounced in open court.  
13.03.2024  
**Dupinder Kaur**

(Kanwal Jit Singh)  
Judicial Magistrate Ist Class,  
Malout, UID No. PB-0493

**QUANTAM OF STENECE**

**Present:** Ld. APP for the State.  
Convict in custody, represented by Sh. N.S.Uppal,  
Advocate.

It is pleaded by the convict that he is poor man. He is only bread winner of the family. So, lenient view may be taken against him and he may be released on probation. On the other hand, APP for state argued that accused must be punished for the offence committed by him.

Keeping in view the plea of convict as well as facts and circumstances of the case. Further taking into consideration that accused being a bread winner of his family has responsibility of upbringing children and look after his parents, so taking a lenient view as per report of Ahlmad, the accused is in custody for 196 days. As such, he has already remained in judicial custody for a considerable period. However, the convict has already undergone the imprisonment for that period.

File be consigned to Judicial Record Room after due compliance.

**Pronounced in open Court:**  
**Dated: 13.03.2024**  
Dupinder Kaur

**(Kanwal Jit Singh)**  
**Judicial Magistrate First Class,**  
**Malout, UID No. PB-0493**

Present: Ld. APP for the State.  
Accused in custody represented by Sh. N.S.Uppal,  
Advocate.

Today, learned counsel for the accused closed his defence evidence. Arguments heard. Keeping in view the plea of convict as well as facts and circumstances of the case, so taking a lenient view as per report of Ahlmad, the accused is in custody for 196 days. As such, he has already remained in judicial custody for a considerable period. However, the convict has already undergone the imprisonment for that period. Copy of judgment supplied to convict free of cost. File be consigned to Judicial Record Room after due compliance.

**Pronounced in open Court:**  
**Dated: 13.03.2024**  
Dupinder Kaur

**(Kanwal Jit Singh)**  
**Judicial Magistrate First Class,**  
**Malout, UID No. PB-0493**