

IN THE COURT OF MS. RANA KANWARDEEP KAUR CHAHAL,
ADDL. SESSIONS JUDGE, KAPURTHALA (UID No.PB00223)

CNR No. PBKP010038662024



Case No. BA/1593/2024

Presented on : 08-08-2024
Registered on : 09-08-2024
Decided on : 23-08-2024

Daljit Singh @ Kala, s/o Binder, aged about 34 years, r/o Village Kular,
PS Shahkot, Jalandhar. At present near Machhipal, PS Sadar, Kapurthala.

....Applicant/accused

Versus

State of Punjab.

....Respondent

FIR No.0072 of 31.05.2017,
Under Sections 399, 402, 411 IPC,
PS Sadar Kapurthala.

[Application for Bail U/s 483 of BNSS]

Present: Sh.S.S.Malhi, Advocate Id. Counsel for
applicant/accused.
Sh.APS Dhillon, Addl. PP for the State.
ASI Paramjit Singh, No.194/Kpt., PS Sadar Kapurthala.

ORDER:-

1. Applicant/accused has filed this bail application under
Section 483 of BNSS in a case FIR No.0072 of 31.05.2017, under
sections 399, 402, 411 of IPC, registered at Police Station Sadar
Kapurthala.

2. Upon notice, Sh.APS Dhillon, Additional Public Prosecutor
appeared on behalf of State.

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ARGUMENTS OF LD. COUNSEL FOR APPLICANT/ACCUSED:

3. The learned counsel for the applicant/accused has submitted that present case is pending for 23.08.2024 in this court. Applicant was absented from the court due to mistake of date and learned trial court had issued nonailable warrants against him. Ultimately, he was declared proclaimed offender in this case on 26.04.2024. He was arrested by the police on 28.05.2024 and now, he is in judicial custody. The absence of applicant was neither willful nor intentional. No purpose would be served by further detention of the applicant/accused behind the bars. Applicant/accused undertakes to abide by the terms to be imposed while releasing on bail and accordingly, it is prayed that his bail application be allowed.

ARGUMENTS BY LD. ADDL. PUBLIC PROSECUTOR:-

4. On the other hand, while controverting his contentions, the learned Addl. P.P for the State has vehemently argued that since applicant/accused has already misused the concession of bail and declared proclaimed offender, so, he does not deserve the concession of bail. Accordingly, a prayer is made for dismissal of the bail application.

5. **I have heard the learned counsel for applicant/accused and learned Addl.P.P. for the State and have also gone through the record.**

6. Record perused. Perusal of record shows that he remained absent from the court proceedings on 21.09.2022, accordingly, his bail

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order was cancelled and he was summoned through nonailable warrants. Ultimately, he was declared as proclaimed offender vide order dated 26.04.2024 in this case. Thereafter, applicant/ accused was produced before the court on 28.05.2024 and since then, he is in custody. So, no useful purpose would be served by detaining the applicant/accused behind the bars for indefinite period. More so, applicant/accused must have learnt a lesson for being absent from the proceedings of the court for remaining in custody.

7. So, in view of my above discussion, the bail application in hand is allowed and the applicant/accused is ordered to be released on **regular bail** on his furnishing the bail bonds to the tune of **Rs.1 lakh with one surety of like amount** subject to following conditions:-

- i. That the applicant/accused shall appear before the Court on each and every date of hearing;
- ii. That the applicant/accused shall not directly or indirectly induce or coerce any witness or prosecution so as to dissuade him from deposing as witness in the Court or to any police officer;
- iii. That the applicant/accused shall not leave India without prior permission of the Court;

8. Police record, if any, be returned. Record of this bail application be tagged with the main case file of present FIR.

Pronounced on:

Dated:23.08.2024

Kaushal

(Rana Kanwardeep Kaur Chahal)
Addl. Sessions Judge, Kapurthala
(UID No. PB00223)

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