

IN THE COURT OF RAKESH KUMAR,
ADDITIONAL SESSIONS JUDGE,
KAPURTHALA

CNR No.
PBKP010003792023



Case No. BA/160/2023

Presented on : 23-01-2023

Registered on : 24-01-2023

Decided on : 01-02-2023

Jagdeep Singh @ Gaggi @ Jaggi, s/o Paramjit Singh, aged about 29 years,
r/o Gurudwara Sant Ghat, Sultanpur Lodhi, District Kapurthala.

...Applicant/Accused

Versus

State of Punjab

...Respondent.

FIR No.26 of 25.05.2016,
U/s 379-B, 34 of Indian Penal Code,
P.S. - Kabirpur, District Kapurthala.

(Application for bail under section 439 of Cr.P.C)

===

Present: Sh.Ramesh Lal, Advocate, for applicant/ accused.

Ms.Aarti Mehta, Addl. Public Prosecutor for the State.

O R D E R

Record perused. This order of mine shall dispose of this bail application, moved by above named applicant/ accused Jagdeep Singh @ Gaggi @ Jaggi, under section 439 of Cr.P.C, pertaining to the criminal case registered against him vide FIR No.26 of 25.05.2016, as stated

above.

2. It is vehemently contended by the learned counsel for the applicant/ accused that the reason behind his absence was neither intentional nor willful. At last, he contended that he is ready to abide any condition imposed upon him by the court. Therefore, he prayed for the release of the applicant on bail.

3. On the other hand, learned Addl.PP for the State contended that the applicant/ accused is not entitled to the concession of bail as he misused the concession of bail before the lower court and was declared as proclaimed person. She prayed for dismissal of the bail application.

4. I have paid a considerable thought to the submissions of Ld. counsel for the applicant/ accused, ld.Addl.PP for the State and have gone through the record of the case very carefully.

5. Perusal of the record shows that challan in this case was presented in the court on 04.10.2016 against present applicant/ accused and co-accused Harpreet Singh @ Lucky and then applicant/ accused Jagdeep Singh became absent in the case in hand and was ultimately declared as proclaimed person vide order dated 08.01.2018. Thereafter, the case was committed to the Court of Sessions vide order dated 12.04.2018. Accordingly, after completion of trial proceedings, co-accused Harpreet Singh @ Lucky was acquitted in the present case, however, present applicant/ accused Jagdeep Singh remained proclaimed person. Thereafter, he was arrested in the present case and produced in the court by the police on 03.10.2022. Now, he is stated to be in judicial

custody since 03.10.2022 and has learnt a lesson for being absented from the proceedings of the case.

6. In view of the entire facts and circumstances of the case, coupled with the fact that applicant/ accused Jagdeep Singh @ Gaggi @ Jaggi is in judicial custody since 03.10.2022 and in the interest of justice, this bail application stands allowed and disposed of. Applicant/ accused Jagdeep Singh @ Gaggi @ Jaggi is ordered to be released on bail on his furnishing personal bond in the sum of Rs.75,000/- with one surety of the like amount and to the satisfaction of trial court. Anything said in this order shall not affect the merits of the main case in any manner. Bail application file be attached with the concerned file.

Pronounced in open Court.
Dated: 01.02.2023
Kaushal Kumar

(Rakesh Kumar)
Addl.Sessions Judge,
Kapurthala
UID - PB0138

(Directly dictated on computer)