

State Versus Sukhwinder Singh BA 160-2023

FIR No. 47 of 09.07.2023

Under section 379, 411 of IPC

PS Sherpur

Present: Sh. Sandeep Thapar, (FLA) for accused/applicant
Sh. Rajesh Sharma, APP for the State

Vide this order, this Court shall proceed to dispose of the bail application filed by the accused/applicant Sukhwinder Singh through his counsel for releasing him on bail.

2. The brief facts of the application are that police have falsely implicated and arrested the applicant-accused in the present case. It is further averred that the applicant-accused is law-abiding citizen and is not involved in any criminal offence at all. It is further averred that the trial of the case as well as presentation of challan will take a long time and the accused is ready to furnish bail bonds to the satisfaction of the Court. Hence, the present application has been filed.

3. Notice of the bail application was sent to the learned APP for the State. Reply has not been filed by the learned APP, but he vehemently opposed the bail application of applicant/accused.

4. I have heard the rival contentions of the Ld. APP for the State and the Ld. Counsel for accused and perused the case record minutely.

5. On perusal of case file, it transpires that FIR no. 47 dated 09.07.2023 has been registered against accused Sukhwinder Singh. It is clear from the police report that recovery has already been effected from accused. Accused has been in custody since 09.07.2023. No useful purpose will be

served by keeping the accused in custody. Moreover, “Bail is Rule and Jail is an Exception” is fundamental principle of criminal law. Presentation of challan and conclusion of trial will take long time. Therefore, keeping in view the facts and circumstances of the present case, the present bail application is allowed and the accused/applicant Sukhwinder Singh is directed to be released on bail subject to furnishing of bail bonds of Rs.50,000/- with one surety in the like amount.

The bail bonds/ surety bonds not furnished. Papers be tagged with the main case file.

(Ramandeep Kaur)
Judicial Magistrate - Ist Class
Dhuri, UID NO . PB00679
(Camp Court)

Date: 25.08.2023

Jyoti
(Stenographer-III)