

State of Punjab Vs. Roshan Lal

B.A No.159 of 2022

CNR No.PBFZE10020582022.

FIR No. 0072 dated 05.05.2022.

Under Section 420,120-B IPC

P.S. City-I, Abohar.

Date of decision : 11.07.2022

Present: Sh. RS Jossan, APP for the State
Sh. Sham Sunder, Advocate, counsel for
accused/applicant.
Sh. RK Bhateja Adv, for complainant.

Heard on application for bail, which has been filed on behalf of accused **Roshan Lal** in above FIR. It has been averred in the bail application that the the applicant/accused has not committed any offence as alleged in the FIR. It has been further averred that the applicant/accused has no concern with the abovesaid case. It has been further averred that the applicant is totally innocent person and the applicant/accused never committed the alleged occurrence. It has been further averred that the present FIR in question is totally false and there is no iota of truth in the story of the complainant. It has been further averred that the complainant intentionally indulged the name of the applicant in the present case due to political influence. It has been further averred that the applicant/accused is in judicial custody since 28.06.2022. It has been further averred that the applicant alleged accused purchased a car Regd. No. DL-4C-AB-6326 from Gurmeet Singh son of Kaku Singh, resident of Baba Deep Singh Nagar, Abohar on dt. 19/10/2020 regarding this car delivery receipt. It has been further averred that the allegation levelled against the applicant are false and frivolous. It has been further averred that the applicant never received any money from the complainant and the

(Anish Goyal),
SDJM, Abohar,

applicant purchased the said car for his use. It has been further averred that trial of case will take sufficient long time, so the detention of the accused/applicant is unwarranted. It has been further averred that the applicant undertakes not to tamper with the evidence of the witness in any manner whatsoever. At the end, it has been prayed that accused/applicant is in custody and he be released on bail.

2. Upon notice, Ld. APP for State did not intend to file reply to the present application and opposed the same on the grounds of gravity of offence. ASI Lal Chand, NO. 274/FZK has suffered separate statement that the bail application in FIR No. 72 dated 05.05.2022 is first bail application of accused. He further stated that no any other bail application is pending any Court of law. He further stated that one other FIR No. 4 dated 07.06.2022, u/s 18/61/85 NDPS Act, PS Sadar Abohar registered against accused. Ld. Counsel for the complainant has opposed present bail application on the ground that accused has cheated complainant.

3. From the perusal of the case file, it reveals that allegations against accused/applicant are under Sections 420,120-BIPC. As per allegations mentioned in FIR, the car Honda City was purchased by Ravinder Kumar from Amandeep Singh, owner of Delhi Motors Abohar, in the year 2020 for a sum of Rs. 90,000/- through applicant Roshan Lal and he gave Rs. 50,000/- in cash and Rs. 40,000/- through cheque, which was cleared. At the request of Roshan Lal and Shankar Lal Rs. 25,000/- was given for number. IT has been further mentioned that he further give Rs. 15,000/- for work of car and Rs. 8,000/- for seat covers. After that the lock down started, then the documents of the said vehicle were taken by brokers Roshan Lal and Shankar Lal from Amandeep Singh owner Delhi Motors, Abohar of car bearing No. PB-

(Anish Goyal),
SDJM, Abohar,

22W-4615 which is registered in his name, but owned by Ravinder Kumar.

As per file, the accused/applicant is under detention since 28.06.2022. Presentation of challan and completion of trial will take considerable time. No useful purpose would be served by keeping the accused in judicial custody for indefinite period. Total amount of cheating, if case of complainant is taken to be true came out to be only 1,13,000/-. Accused was remanded to judicial custody on request of prosecution itself. Therefore, without commenting upon the merits of the case, accused Roshan Lal is ordered to be released on bail on his furnishing bail bond and surety bond in the sum of Rs. 30,000/- with one surety in the like amount, subject to following conditions:-

- 1) He shall not commit similar type of offence.
- 2) He shall not induce or threaten witnesses of the case and shall not tamper with evidence of the case.
- 3) He shall come present on each and every date.

Bail bond and surety bond not furnished. Papers be attached with main file.

Anish Goyal

Date: 11.07.2022

Sub Divisional Judicial Magistrate

Rajwinder Kaur, Stenographer-II

Abohar. (UID No.PB0320)

(Anish Goyal),
SDJM, Abohar,

State of Punjab Vs. Roshan Lal

Present: Sh. RS Jossan, APP for the State
Sh. Sham Sunder, Advocate, counsel for
accused/applicant.

File taken up today on application in this regard for
furnishing bail bonds in compliance of order dated 11.07.2022.

Bail bond and surety bond furnished, which are accepted
and attested. Release warrants of accused be issued. File be put upon date
already fixed.

Date: 12.07.2022

Anish Goyal
Sub Divisional Judicial Magistrate
Abohar. (UID No.PB0320)

Rajwinder Kaur
Stenographer-II

(Anish Goyal),
SDJM, Abohar,