

IN THE COURT OF MAYANK MARWAHA, PCS, JUDICIAL
MAGISTRATE 1st CLASS, RAJPURA.

Case Type	BA	
Filing No.	1327/2026	Filing Date: 03.07.2026
Registration No.	157/2026	Registration Date: 03.07.2026
CNR No.	PBPTA1001335-2026	
Date of Decision	08.07.2026	

Gurbachan Singh son of Mukandi Lal resident of Village Sandharsi, Tehsil
Rajpura, District Patiala.

Versus

State of Punjab

FIR No.102 dated 01.09.2018
Under Section 420 and 120-B IPC,
Police Station Shambhu, District Patiala.

Present: Sh. H.S. Saini, Advocate for applicant/accused.
Sh. Janpreet Sharma, Learned APP for the State.

ORDER:

1. Heard on bail application filed by applicant/accused Gurbachan Singh through his counsel in above mentioned FIR.
2. Learned counsel for applicant/accused stated that applicant/accused has been falsely implicated in the present case. It is stated that applicant/accused preferred an anticipatory bail before the court of Sessions Judge, Patiala and anticipatory bail was granted to him vide order dated 28.11.2018. It is stated that applicant/accused was arrested by the police on 17.06.2026 and sent to judicial custody. It is further stated that applicant/accused has no knowledge that he was declared proclaimed offender by the court vide order dated 12.03.2025. It is further stated that applicant/accused did not intentionally or knowingly

absented himself from the court. It is further submitted that applicant/accused will appear before the court on every date of hearing and shall abide by the terms and conditions of the Hon'ble court. It is further submitted that no useful purpose would be served to retain the applicant/accused behind the bars and he deserves to be released. Hence, the present bail application.

3. Notice of bail application was given to State. Learned APP for the State suffered statement that he does not want to file written reply, however he orally opposed the bail application. It has been argued that the offence committed by applicant/accused is of serious nature and as such he does not deserve the concession of bail. It has further been argued that if the applicant/accused is released on bail, he will not appear in the Court on hearing and he may also influence the witnesses, as such he does not deserve to be released on bail. Hence, he prayed for dismissal of the bail application.
4. I have heard the Learned APP for the State, as well as counsel for the applicant/accused on the bail application for grant of bail to the applicant/accused. The counsel for applicant/accused argued that the FIR in question is false. He further stated that applicant/accused is quite innocent and has not committed the alleged offence, as mentioned in the FIR, so he is entitled to be released on bail. On the other hand, Learned APP for the State has argued that the offence committed by applicant/accused is of serious nature and if the applicant/accused is released on bail, he will not appear in the Court, as such he does not deserve to be released on bail.

5. Perusal of the main file reveals that challan was presented against applicant/accused Gurbachan Singh in his absence and notice was issued to him for appearing in the court. However, on his failure to appear, non-bailable warrants were issued against him. Thereafter, proclamation proceedings were issued against applicant/accused and thereafter he was declared proclaimed person vide order dated 12.03.2025. Perusal of file further reveals that applicant/accused Gurbachan Singh was granted benefit of anticipatory bail vide order dated 28.11.2018 passed by the court of Ld. Additional Session Judge, Patiala in BA-1574-2018.
6. After hearing the contentions of Learned APP for State and Learned counsel for applicant/accused and after going through the case file carefully, it is observed that the investigation in the present case is already completed and even the challan has been presented. Considering the facts and circumstances of the present case and this court is of the opinion that no purpose will be served by sending the applicant/accused in custody. Moreover, applicant/accused was already granted benefit of anticipatory bail as he had joined the investigation. Accordingly, present bail application is allowed and the applicant/accused Gurbachan Singh is ordered to be released on bail on furnishing bail bonds in the sum of Rs. 1,00,000/- with one surety in the like amount. Also, following additional conditions are imposed:
1. the applicant/accused shall appear in the Court on each and every date of hearing;
 2. the applicant/accused shall not give any threat or

intimidation to the prosecution witnesses;

3. the applicant/accused shall not leave India without prior permission of the Court.

7. Bail bonds/ surety bonds not furnished. Bail application be attached with the main file.

8. A soft copy of this order be sent to the Superintendent, Central Jail, Patiala through E-Mail immediately in compliance of the directions passed by Hon'ble Supreme Court of India in Suo Moto Writ Petition (Criminal) No.4/2021 dated 31.01.2023.

Pronounced in open Court:
08.07.2026

Bharti Chawla-JW

Mayank Marwaha, PCS
Judicial Magistrate 1st Class,
Rajpura/UID-PB00531