

**IN THE COURT OF MS. JUBLEE, PCS,
JUDICIAL MAGISTRATE IST CLASS, NAKODAR.
(UID NO. PB-0415)**

CIS No.	BA/156/2024
CNR No.	PBJLA1-000721-2024
Date of institution	27.05.2024
Date of order	29.05.2024

State

Vs.

**Sukhjinder Singh @ Sukha aged about 51 years son of Jarnail Singh
resident of Village Bagga, PS Shahkot, District Jalandhar.**

FIR No. 21 dated 04.02.2024
Under Section 457 and 380 of IPC
Section 411 added later on.
PS : Shahkot.

Present:- Sh. G.S. Jhand, Adv. counsel for applicant/accused.
Ms. Nirlep Kaur, Learned. APP for the State.

ORDER

1. Arguments heard on the bail application of applicant/accused Sukhjinder Singh. Learned counsel for applicant/accused argued that accused has committed no offence and has been falsely implicated in the present FIR and nothing has been recovered from accused/applicant. The applicant/accused was arrested by the police on 04.02.2024. The applicant undertake to appear before the Court on each and every date of hearing. The applicant is ready to furnish the bail bonds and surety bonds before the Court and undertakes to abide by the other directions of this Court. Along with this application affidavit of Rajwinder Kaur who is wife of the accused is also annexed who submitted through her affidavit that this is the first bail application of applicant and no other bail application is pending in another Court. The learned counsel for the

applicant/accused prayed that the accused may be admitted on bail.

2. The learned APP for the State filed reply wherein she had denied all the averments of bail application. She further argued that if applicant/accused released on bail he will misuse concession of bail. She prayed that present bail application may be dismissed.

3. In the present case, the applicant/accused was booked for an offence punishable under Sections 457, 380 and 411 of the Indian Penal Code. The FIR of present got registered by name against the accused person. The complainant levelled allegations against accused that on 29.01.2024 they committed lurking house trespass and stolen articles lying in his welding shop. The co-accused are already on bail. Since the day of arrest i.e 04.02.2024 accused in custody. In the present case, challan has already been presented and culmination of trial will take time. As per legal doctrine 'bail is rule and jail is exception'. Thus, **accused is admitted to bail in FIR No. 21 dated 04.02.2024 under Section 380, 411, 457 of the Indian Penal Code on his furnishing bail bonds in the sum of Rs. 25,000/- with two sureties in the like amount with the following conditions:-**

- (a) that he/they shall attend the court proceedings on each and every date of hearing and shall not absented himself/themselves;
- (b) that he/they shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected;
- (c) that he/they shall not leave the Country without the permission of the court;

- (d) And that he/they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/them from disclosing such facts to the court or tamper with the prosecution evidence.

5. Bail bonds and surety bonds not furnished. Further, as per directions issued by the Hon'ble Supreme Court of India in SMWP (Criminal) No. 4/2021, information of this bail order be sent to the concerned Superintendent Jail Authorities, where applicant/accused is lodged through email for providing information to the applicant/accused. Ahlmad is directed to tagged these paper with the main file.

Date of Order: 29.05.2024

Gagandeep Kaur

(Dr. Jublee)PCS,
Judicial Magistrate Ist Class.
Nakodar/ UID-PB0415