

PBGDA10014522019



Presented on : 18-04-2019
Registered on : 18-04-2019
Decided on : 20-04-2019
Duration : 0 years, 0 months, 2 days

**IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,
AT Batala, Gurdaspur
(Presided Over by Ms. Divya Sharma)**

BA/148/2019

Present: Learned APP for the State.

Sh. B.S Simble, Advocate, counsel for accused

Order

This order of mine shall dispose off bail application moved by accused Jagdish Singh alias Jaggi through counsel Sh. B.S Simble, Advocate.

1- In the application it is averred that the accused is innocent and has nothing to do with the alleged offence and has been falsely implicated in the present case. Further submitted that no alleged recovery has been effected from the accused and he was picked from his house. With these submissions prayed that accused be released on bail.

2- Upon notice reply was not filed by learned APP for the State, however he has orally contested the bail application on the ground that accused has committed heinous offence, hence he does not deserve the concession of bail. With these submissions prayed that the bail application be dismissed.

3- I have heard the submissions put forth by learned APP for

(Divya Sharma), PCS
JMJC/Batala/UID No. PB0539

the State, learned counsel for the accused and have perused the judicial file minutely with their able assistance.

4- Perusal of the file reveals that the accused has been charged for commission of offence punishable under Section 25/54/59 of Arms Act. Accused has been in judicial lock up since 05.04.2019. Criminality of the accused if any shall be ascertained at the stage of trial. It is the cardinal principle of law that an accused shall be presumed to be innocent until proven guilty. Presentation of challan and conclusion of trial shall take time. No useful purpose will be served by keeping accused behind the bars, rather it will be a burden on State Exchequer. Accordingly, keeping in view the facts and circumstances of the case, and as recovery has already been effected from the accused. Accordingly, accused is admitted to bail and be released on furnishing bail bonds and surety bonds to the tune of Rs. 75,000/- with one surety in the like amount, failing which accused be kept in custody.

5- Accordingly the bail application is disposed off. Bail bonds and surety bonds not furnished. Ahlmad is directed to attach the papers with the main file and be put up on date fixed.

Date : 20.04.2019

(Ms. Divya Sharma)
Judicial Magistrate 1st Class,
Batala. UID No. PB0539

Dictated on : 20.04.2019

Transcribed on : 20.04.2019

checked on : 20.04.2019

Signed on: 20.04.2019

(Ms. Divya Sharma)
Judicial Magistrate 1st Class,
Batala. UID No. PB0539

Vishal Meelu, Stenographer Grade-III

Present: Learned APP for the State.

Sh. B.S Simble, Advocate, counsel for accused

Accused produced by Jail Authorities. Let he be again
produced on the next date of hearing.

Date : 20.04.2019

(Ms. Divya Sharma)
Judicial Magistrate 1st Class,
Batala. UID No. PB0539