

IN THE COURT OF RAKESH KUMAR,
ADDITIONAL SESSIONS JUDGE,
KAPURTHALA

CNR No.
PBKP010038122023



Case No. BA/1578/2023

Presented on : 28-07-2023

Registered on : 29-07-2023

Decided on : 05-08-2023

Sandeep Kumar, s/o Balwinder Kumar, aged about 32 years, r/o
Ibrahimwal, PS Begowal, Tehsil Bholath, District Kapurthala.

...Applicant/Accused

Versus

State of Punjab

...Respondent.

FIR No.0119 of 03.12.2020,
U/s 379-B, 341, 411, 34 of Indian Penal Code and
Section 171/ 181 of The Motor Vehicle Act,
P.S. - Begowal, District Kapurthala.

(Application for bail under section 439 of Cr.P.C)

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Present: Ms.Deepika Sheetal, Advocate, for applicant/ accused.

Ms.Aarti Mehta, Addl. Public Prosecutor for the State.

O R D E R

Record perused. This order of mine shall dispose of this bail application, moved by above named applicant/ accused Sandeep Kumar, under section 439 of Cr.P.C, pertaining to the criminal case registered against him vide FIR No.0119 of 03.12.2020, as stated above.

2. It is vehemently contended by the learned counsel for the applicant/ accused that the reason behind his absence was neither intentional nor willful, but due to Covid-19. He has been falsely implicated in the present case. He is in judicial custody since 26.03.2023. He is ready to abide any condition imposed upon him by the court. Therefore, he prayed for the release of the applicant on bail.

3. On the other hand, learned Addl.PP for the State contended that the applicant/ accused is not entitled to the concession of bail as he misused the concession of bail before the trial court. Accordingly, the APP for the State has prayed for dismissal of the bail application.

4. I have paid a considerable thought to the submissions of Ld. counsel for the applicant/ accused, ld.Addl.PP for the State and have gone through the record of the case very carefully.

5. Perusal of the record shows that challan in this case was presented in the court on 22.01.2021 and applicant/ accused Sandeep Kumar became absent in the case in hand. Ultimately, he was declared Proclaimed Offender on 03.10.2022. Now, he is in judicial custody since 26.03.2023 and has learnt a lesson for being absented from the proceedings of the case.

6. In view of the entire facts and circumstances of the case, coupled with the fact that applicant/ accused Sandeep Kumar is in judicial custody since 26.03.2023 and in the interest of justice, this bail application stands allowed and disposed of. Applicant/ accused Sandeep Kumar is ordered to be released on bail on his furnishing personal bond in the sum of Rs.75,000/- with one surety of the like amount and to the

satisfaction of learned Trial Court/ Duty Magistrate. Anything said in this order shall not affect the merits of the main case in any manner. Copy of this order along with record be sent the learned trial court. Bail application file be consigned to Record-room.

Pronounced in open Court.

Dated: 05.08.2023

Kaushal Kumar

(Directly dictated on computer)

(Rakesh Kumar)
Addl.Sessions Judge,
Kapurthala
UID – PB0138