

State of Punjab Vs. Gurpreet Singh BA-163-2023
CNR-No.PBPTA1-002732-2023

Present : Sh.Satnam Singh Advocate, counsel for applicant/accused.
Additional Public Prosecutor for the State.

Arguments on bail application heard. Record perused. It is alleged that accused/applicant was declared proclaimed offender by the court in complaint No.COMA-449-2019 and thereafter, present FIR was registered. It is stated that on 03.08.2023 compromise was effected between the parties and complainant received the cheque amount and complainant did not wish to continue the complaint and court has recalled the order declaring the accused proclaimed offender and case was ordered to be put up before National Lok Adalat to 09.09.2023. No applicant is not proclaimed offender and requested for grant of bail in the present FIR.

Perusal of record shows that present FIR has been registered on the directions of Court as accused was declared as proclaimed offender in complaint under Section 138 NI Act, titled as Navjot Kumar vs. Gurpreet Singh. Further perusal of record shows that accused Gurpreet Singh was declared proclaimed offender vide order dated 25.07.2023 and directions were issued to SHO concerned by the court to register FIR under Section 174A of IPC. Perusal of record shows that along with bail application accused/applicant has placed on record copy of complaint titled as Navjot Kumar vs Gurpreet Singh, copy of statement dated 03.08.2023 of Navjot Kumar complainant and copy of order dated 03.08.2023 passed by the court of Sh.Jaspreet Singh, PCS, JMJC Rajpura. Perusal of statement dated 03.08.2023 of Navjot Kumar and order dated 03.08.2023 shows that in his statement complainant Navjot Kumar stated before the court that he has effected a compromise and had received the entire amount in question. On the basis of statement of complainant the complaint was dismissed as withdrawn. Since the matter stands already settled and accused like a responsible citizen had paid all the dues to the complainant. As such he deserves a lenient attitude from this court. Further accused was arrested in this case on 20.08.2023 and since then he is in custody. He must have learnt a lesson of absconding from court proceedings. Completion of investigation and presentation of challan

would certainly take considerable time, moreover, bail is the rule and jail is exception. So, therefore, in view of discussion made above, bail application of accused/applicant stands allowed subject to furnishing of bail bonds in the sum of Rs.50,000/- with one surety in the like amount each. During the period of the bail the accused will remain bound by the following conditions:-

1. Accused will not make any attempt to contact any of the prosecution witnesses, directly or through any other person, or in any other way try to temper with the evidence or influence any witness in this case or any other case against him or any other crime under investigation by any government agency.
2. Accused will co-operate in the early completion of the trial and shall attend the hearings unless exempted.
3. Accused will intimate the place of his residence and will not change the same without prior intimation to the respondent of their intention to shift elsewhere.

3. Requisite bail bonds not furnished. Copy of this order be transmitted to Superintendent Jail concerned through electronic means. Papers be placed on the record of main case file.

Date of Order: 23.08.2023

Rajesh-JW

(Hirdejit Singh, PCS)
Sub Divisional Judicial Magistrate
Rajpura-PB00328