

**In the court of Sh. Amar Paul, Additional Sessions Judge,
Ludhiana.**

BA.1635/2018
CNR No.PBLD010044902018
Filing No.2838/2018
Date of filing 27.2.2018
Date of decision. 14.3.2018

Upinder Singh Sidhu aged about 53 years son of Shri Ujjagar Singh,
resident of village Sidhwan Kalan, Tehsil Jagraon, District Ludhiana,
P.s.Women Jagraon.

...Complainant

Versus.

Gurjant singh so of Ganda Singh resident of VPO Gaggarpur District
Sangrur.

....Accused

Bail application under Section 438 Cr.P.C.

Present: Sh. H.S.Dhaliwal Adv. Counsel for the applicant
Sh. Rajbir Singh Chahal Addl. PP for the State

ORDER

1. This order shall dispose of an application filed by the applicant-accused Gurjant singh under Section 438 Cr.P.C. for grant of anticipatory bail in a complaint case titled as Upinder Singh Vs. Manjinder Singh in which the applicant-accused was ordered to be summoned to face trial for the commission of offence under sections 420/323/406/498-A/120-B/34 IPC by the Court of Shri Pradeep Synghal, SDJM, Jagraon.
2. Notice of the bail application was given to the learned Addl. PP for the state. Record of the trial Court was summoned.
3. I have heard the learned counsel for the applicant-accused, learned Addl. PP for the State and gone through the material on record.
4. The learned counsel for the applicant-accused argued that the

applicant-accused has been summoned by the learned trial Court for the offences under sections 420/323/406/498-A/120-B/34 IPC in a complaint case and applicant-accused has been falsely implicated by the complainant on the false complaint and applicant-accused is innocent and he is ready to face trial before the learned trial Court, if the applicant-accused is ordered to be released on anticipatory bail as nothing is required to be recovered from the applicant-accused and accordingly prayed for grant of anticipatory bail.

5. On the other hand learned Addl. PP for the State opposed the arguments of learned counsel for the applicant-accused and prayed that the applicant-accused is not entitled to be released on anticipatory bail.

6. After hearing the arguments of learned counsel for applicant-accused and learned Addl. PP for the state and going through the file, it has been found that applicant has been summoned by the court of Shri Pradeep Synghal, SDJM, Jagraon, for the offences under sections 420/323/406/498-A/120-B/34 IPC to face trial vide order dated 28.09.2017 and now the case is pending before the Illaqa Magistrate for 21.4.2018 for appearance of applicant through NBW. As per the allegations in the complaint one gold Kara was given to the applicant. The role and liability of the applicant will be seen during the conclusion of trial. In the meantime the applicant is ready to join the proceedings before the trial court to face the consequences of complaint case. It is complaint case and police interrogation of any kind is not required. There is nothing on record that applicant may temper with the prosecution witnesses and flee from justice if the applicant be allowed on bail. Hence, applicant Gurjant Singh is directed to furnish bail bonds in the sum of Rs.25,000/-

with one surety in the like amount before the Learned Illaqa Magistrate/Duty Magistrate on or before 21.4.2018 and on doing so, Illaqa Magistrate/Duty Magistrate shall release the applicant on anticipatory bail subject to the conditions laid down in section 438(2) Cr.P.C. Accordingly bail application is allowed and disposed of. Record of learned trial Court be returned alongwith copy of this order. File be consigned to the record room.

Pronounced/14.3.2018

Komal
Stenographer-I

AMAR PAUL
Additional Sessions Judge
Ludhiana/UID-PB0450

Present: Sh. H.S.Dhaliwal Adv. Counsel for the applicant
Sh. Rajbir Singh Chahal Addl. PP for the State.

Record received. Heard. Vide my separate detailed order of even date, the present bail application is allowed and disposed off. Record of learned trial Court be returned alongwith copy of this order. File be consigned to the record room.

Pronounced/14.3.2018

Komal
Stenographer-I

AMAR PAUL
Additional Sessions Judge
Ludhiana/UID-PB0450