

**IN THE COURT OF KAMAL VARINDER  
ADDITIONAL SESSIONS JUDGE, AMRITSAR  
(UID NO.PB0407)**

**Case Details**

|               |                           |                          |
|---------------|---------------------------|--------------------------|
| Case Type     | BA                        |                          |
| Filing No.    | 3772/2021                 | Filing Date : 12.04.2021 |
| Regn. No.     | BA/1950/2021              | Date of Regn. 12.04.2021 |
| CNR No.       | <b>PBAS01-004921-2021</b> |                          |
| Date of order | <b>22.09.2021</b>         |                          |

**S T A T E**

Versus

Lakhi son of Foja Singh, resident of village Nangal Wanjhawala, Amritsar.

**...Applicant**

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FIR No. 27 dated 10.03.2020.  
U/s. 61 of Punjab Excise Act, 1914.  
Police Station Ajnala, Amritsar.

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**First Bail application Under Section 438 Cr.PC.**

Present: Shri Jugraj Singh, Advocate  
counsel for applicant Lakhi.  
Shri Gurinderbir Singh, Additional PP for the State.

**ORDER:**

1. By this order, this Court intends to deal with this 1<sup>st</sup> bail application under Section 438 Cr.PC having been filed by applicant Lakhi.
2. Notice of the bail application was served upon the State through learned Additional PP attached to this court alongwith copy of

bail application, who received the same, appeared and contested the bail application on merits. Police record was requisitioned which has been received and perused.

3. The learned counsel for applicant has submitted that applicant/accused has been falsely implicated in the present FIR, merely on the basis of the fact that he fled away from the spot. It is further argued that nothing is to be recovered from the applicant. He is ready and willing to join the investigation, as and when directed by this court, if he is released on bail.

4. On the other hand, the learned Additional PP for the State has argued that the FIR has been registered against the applicant/accused by name. It is further argued that the custodial interrogation of the applicant/accused is necessary in this case.

5. I have heard the respective contentions of both the learned Advocates and have perused the record with their able assistance.

6. Admittedly, FIR has been registered against the applicant on the basis of secret information. The applicant/accused is stated to have fled away from the spot. The recovery has already been effected. The applicant is stated to be not involved in any other criminal case. The purpose of investigation would be served, if the accused/applicant is directed to join the investigation.

7. In view of the circumstances, it would be in the fitness of things that before deciding this bail application on merits, the applicant be directed to join investigation which would be beneficial for further progress of investigation. As such, applicant is directed to join investigation before the next date of hearing fixed in this bail application by surrendering before the IO/SHO of Police Station Ajnala, Amritsar and in the event of arrest of the applicant, such Arresting Officer is directed to release him on interim bail on his furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount to his satisfaction, subject to the conditions under Section 438(2)Cr.PC.

8. Bail application is adjourned to 28.09.2021 for compliance report of interim bail directions and for final arguments.

**Pronounced in open Court**  
**Dated: 22.09.2021**

**(Kamal Varinder)**  
**Additional Sessions Judge,**  
**Amritsar:UID no.PB0407**

*\*dalipkumar*  
*Stenographer Grade-I.*