

Raju Singh Vs. State of Punjab**CIS No: BA/1955/2025
CNR No. PBFD010056862025**

Present: Sh. Sandeep Kakkar Advocate for accused/ applicant.
Sh. Gurinder Singh Id. APP for the State.

First Bail Application u/s 483 of BNSS, 2023**ORDER**

1. Heard on the bail application filed on behalf of the applicant/accused **u/s 483 of BNSS for regular bail, in case/FIR no.206 dt. 03.09.2025 u/s 310(4), 310(5) BNS,2023, PS City Kotkapura**, whereby, it is submitted that the petitioner has not been declared as proclaimed person by any court of law in any other case. The accused/ petitioner is quite innocent and has nothing to do with the alleged offence. Nothing is to be recovered from the accused. The story of the prosecution is highly doubtful and unnatural. Accordingly, prayer is made for allowing the present bail application.

2. Upon notice, Id. APP put in appearance on behalf of the State. Although, no reply is sought to be filed by the Id. APP, to the present bail application, but the same is hotly contested by the Id. APP and prayer is made for dismissal of the present bail application. Further, ASI Naginder Singh No. 528/ FDK PS City Kotkapura appeared and suffered statement in the court to the following effect :-

“..... In the present case there are five accused namely (1) Raju Singh, (2) Karan Singh, (3) Hardeep Singh, (4) Satnam Singh and (5) Manjeet Singh (arrested on 03.09.2025). From accused Raju Singh kirpan was recovered and from accused Karan khanda was recovered.

Except present FIR, no other FIR is pending against the present accused Raju Singh. ”

3. Brief facts of the present case are that the instant FIR was registered by the Investigating Agency against the applicant/ accused as well as against other accused (non applicants) as detailed above in para No. 2 with the allegation that during patrolling a secret information was received that the aforesaid five accused as detailed above (including present accused) are habitual offender and that they are used to committing robbery and decoity and they are hiding in a hut built near dirty drain(Ganda Nala) on Devi wala road, Kotkapura along with deadly weapons and if raid be conducted they can be apprehended red handed. On the basis of secret information, the instant FIR under section 310(4), 310(5) BNS was registered.

4. It is argued by the ld. APP for the State that the accused is habitual of committing crime and he has committed heinous crime alongwith his co-accused, as such he is not entitled to concession of regular bail in the present case.

5. The said contentions of the Ld. APP for the State are controverted by the ld. Defence counsel. It is submitted by him that accused has been falsely implicated in the present case. Accordingly, request is made for allowing the present application.

6. After considering the rival contentions of ld. APP and the ld. defence counsel as well as keeping in view the nature of allegation being there against the accused, this court is of the opinion that at this stage further incarceration of the accused behind bars in the present case will be unjustified. Applicant(s)/accused is/are in custody since the date of his arrest. Completion of investigation, presentation of challan and trial will take its own time. No useful purpose will be served by further detaining the applicant(s)/accused behind bars, rather it would be a burden on the State exchequer.

7. Accordingly, keeping in view all the facts of the present case, the present bail application is hereby allowed and the applicant(s)/accused is/are ordered to be released on regular bail in the present case on his/her/their furnishing bail bonds in the sum of **Rs.70,000/-** with one surety in the like amount to the satisfaction of ld. Ilaka/Area/Duty Magistrate, subject to the conditions that s/he/they shall appear in the court on each and every date of hearing; s/he/they shall not leave the country without prior permission of the Court; s/he/they shall not influence the investigation and s/he/they shall also surrender his/her/their passport in the court of ld. Ilaka/Area/Duty Magistrate and if s/he/they do/does not possess any passport, then an affidavit in this respect be furnished by him/her/them or by his/her/their near relative; applicant(s) accused shall not indulge in any criminal activity and shall not commit offence of similar nature again, failing which the bail order granted herein shall be liable to be cancelled on the application made by the prosecution in this regard. The ld. Ilaka/Area/Duty Magistrate shall forward the bail bonds, so accepted and attested alongwith all the documents, to this court. Ahlmad of this court is also directed to send a soft copy of this order by email to the applicant(s)/accused through the Jail Superintendent. The Jail Superintendent shall enter the date of grant of bail in the e-prisons software (or any other software which is being used by the

prison department). If the applicant(s)/accused is not released within a period of seven days from the date of this order, it shall be duty of the Jail Superintendent to inform the Secretary, District Legal Services Authority, Faridkot, who shall depute a paralegal volunteer or Jail Visiting Advocate to interact with the applicant(s)/accused/prisoner and assist him in all possible ways for his release. If the applicant(s)/accused is unable to furnish bonds or fulfill the conditions of bail with a period of seven days thereafter, the Secretary, District Legal Services Authority, Faridkot, with a view to find out the economic condition of the accused may take the help of Probation Officers or Paralegal Volunteers to prepare a report on the socioeconomic conditions of the inmate to be placed before this Court with a request to relax the conditions of bail. If this order remains uncomplied for one month from the date of this order, Ahlmad is directed to put up the matter again before the undersigned. Police record be returned, immediately. Bail application file/papers be consigned to Record Room.

Pronounced in Open Court:
Dated:04.10.2025
Madhu Bala

(Krishan Kant Jain)
JSC/Additional Sessions Judge,
Faridkot/(UID:PB0163)