

PBHOA10000182023



Presented on : 04-01-2023
Registered on : 04-01-2023
Decided on : 09-01-2023
Duration : 0 years, 0 months, 5 days

**IN THE COURT OF
Sub Divisional Judicial Magistrate
AT Dasuya, Hoshiarpur
(Presided Over by Parminder Kaur Bains)**

BA/2/2023

FIR No. 196 dated 14.12.2022
U/s 420 of IPC & Sec. 13 Punjab Travel
Professionals Act 2014
PS Dasuya.

State Vs Iqbal Singh

Present: Sh. N.S. Maan Adv for the accused/applicant Iqbal Singh Sadhu.
Sh. Bharat Sahota, Ld APP for the State assisted by Sh. K.S. Saini Advocate.

1. Heard application u/s 437 Cr.PC for grant of regular bail moved on behalf of accused Iqbal Singh Sadhu.
2. It is alleged in the application that applicant/accused (herein after referred as accused) have been falsely implicated in the present case on the statement of complainant Prem on false and frivolous allegations. It is alleged that the present FIR has registered against the accused by the complainant under pressure of some other persons and this fact is clear from the affidavit dated 2.1.2023 wherein it is specifically mentioned that he has registered the present FIR against the accused under the pressure of someone. It is alleged that the accused is innocent person. It is alleged that the accused was arrested in this case on 28.12.2022 and since then he is in custody. It is further alleged that no useful purpose will be served by keeping the accused behind the bars. Lastly, it is prayed that the applicant/accused be released on bail.
3. Notice of these bail applications was issued to I.O. to file reply as well as to Ld APP for the State for confirmation of the Statement/reply filed by the I.O.

4. ASI Jagga Ram No. 425/HPR, PS Dasuya has come present in the court and stated that he has brought the police record. He stated that after the registration of FIR, no offence has been added or deleted. He further stated that has not produced the police record in any bail application of accused Iqbal Singh in the court of Sessions or in the Hon'ble Punjab and Haryana High Court. He further stated that there is no other FIR registered against accused Iqbal Singh at P.S. Dasuya.

5. Upon notice, learned APP for the State, appeared and suffered statement to the effect that relying upon the statement of ASI Jagga Ram, no bail application of accused Iqbal Singh is pending in the court of Sessions and in the Hon'ble Punjab and Haryana High Court in this FIR.

6. I have considered the contradictory versions of the contesting parties and have deliberated over the arguments advanced in the light of documents, peculiar facts and circumstances and submissions made.

7. On the other hand Ld APP for the State assisted by Sh. K.S.Saini Advocate for the complainant has argued that accused is not entitled for concession of bail as he alongwith other co accused has committed theft of fraud with the complainant to the tune of Rs.19,00,000/- on the pretext that he will send the son of complainant Sahil to abroad i.e. Portugal but neither he send the son of complainant to Portugal nor returned the money so received by him from the complainant. He further argued that complainant came to know from the social media that his son has been killed while going to abroad. He further contended that present bail application may be dismissed.

8. Record perused. Perusal of record revealed that the present FIR was registered on the statement of complainant against accused on the allegation that accused alongwith other co accused has committed fraud of money with complainant on the pretext that they will send the son of complainant to abroad i.e. Portugal but they neither send the son complainant namely Sahil to Portugal nor returned money so received by the accused persons from the complainant. Therefore, keeping in view of the gravity of offence

wherein allegation of fraud in the tune of Rs. 19,000,00/- so averred to be committed by the accused with the complainant. Accordingly, this court do not deem it fit to grant the concession of bail to the accused Iqbal Singh Sadhu. Hence, the bail application of accused **Iqbal Singh Sadhu** is hereby dismissed. Papers be attached with the FIR.

Pronounced in the Open Court.

Date : 09.01.2023

Kulwinder Singh

Stenographer-II

(Parminder Kaur Bains)

SDJM/Dasuya

UID NO. PB0346