HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13879/2020

Sukhdev Singh

----Petitioner

Versus

State, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 13780/2020

1. Kuldeep Singh
2. Joga Singh

----Petitioners

Versus

State, Through PP

----Respondent

S.B. Criminal Misc. Bail Application No. 13881/2020

Rameshwar Lal S/o Sh. Mangla Ram, Aged About 52 Years, R/o 23 B.b. (Bera), P.s. Padampur, District Sri Ganganagar (Raj.). (At Present Lodged In Sub Jail, Raisinghnagar).

----Petitioner

Versus

State Of Rajasthan through PP

----Respondent

For Petitioner(s)	:	Mr. H.R. Chawla through VC. Mr. Devi Lal Rawla through VC.
For Respondent(s)	:	Mr. Sudhir Tak, PP.

HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA

Order

17/12/2020

S.B. Criminal Misc. Bail Application No. 13879/2020 &

S.B. Criminal Misc. Bail Application No. 13780/2020.

Learned Public Prosecutor, present-in-person stated that there is specific allegations against the accused-petitioners Sukhdev Singh, Kuldeep Singh and Joga Singh, therefore, before considering bail applications of these accused-petitioners, perusal of the case diary is necessary.

Therefore, learned Public Prosecutor is directed to call for the case diary/factual report/antecedents of the accused-petitioners and produce the same before the Court on the next date of hearing.

List the matters on ***04.01.2021***, as prayed.

S.B. Criminal Misc. Bail Application No. 13881/2020:

The present bail application has been filed under Section 439 Cr.P.C. on behalf of the petitioner (Rameshar Lal), who is in judicial custody in connection with F.I.R. No. 93/2015, Police Station Samejakothi, District Sriganganagar, registered for the offences under Sections 420, 467, 468, 471 & 120-B of the Indian Penal Code.

Mr. H.R. Chawla, learned counsel appearing for the petitioner through video conferencing stated that the offences are triable by the Magistrate; that no recovery or investigation is pending due against the accused-petitioner; that the accused-petitioner is only an attesting witness of the alleged documents; and that the trial will take time, therefore, benefit of bail may be granted to the present accused-petitioner.

Per contra, learned Public Prosecutor opposed the bail application of the accused-petitioner and stated that so far as accused Rameshwar Lal is concerned, he is only the attesting witness of the alleged documents.

Heard and considered the arguments advanced by the learned counsel appearing for the petitioner through video conferencing and learned Public Prosecutor, present-in-person. Perused the material available on record.

Having regard to the facts and circumstances of the case and particularly to the facts that the offence are triable by the First Class Magistrate; that no investigation and recovery is pending against the accused-petitioner Rameshwar Lal; and that further trial will take sufficiently long time, therefore, without expressing any opinion on the merits/demerits of the case, this Court is of the opinion that the bail application filed by the petitioner Rameshwar Lal deserves to be accepted.

Consequently, the bail application filed under Section 439 Cr.P.C. is allowed. It is ordered that the accused-petitioner, Rameshwar Lal S/o Mangla Ram, arrested in connection with F.I.R. No.93/2015, Police Station Samejakothi, District Sriganganagar, shall be released on bail provided he furnishes a personal bond of Rs.50,000/- and two surety bonds of Rs.25,000/- each to the satisfaction of the learned trial Court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.

(DEVENDRA KACHHAWAHA),J

25 to 27-Mohan/-