

**IN THE COURT OF DARBARI LAL,
JUDGE SPECIAL COURT, JALANDHAR (UID No. PB0087) (Duty)**

C.I.S. No.	BA-3045/2020
C.N.R. No.	PBJL01-007938-2020
Date of Instt.	14.08.2020
Date of Order	20.08.2020

Manjit Lal aged about 50 years son of Telu Ram, resident of Village Hussainpur, Lambra, District Jalandhar.

.....Applicant-accused.

Versus

State of Punjab

..... Respondent.

FIR No. 75 dated 02.06.2020
Under sections 307, 379-B,
148, 149, 341, 506, 323
of Indian Penal Code
P. S. Lambra, Jalandhar.

Bail Application U/s 439 Criminal Procedure Code

Present: Sh. Vipin Kanwar, Advocate for the applicant-accused
(Through VC).
Smt. Meetu Sheahnmar, Addl.P.P. for the State assisted
by Sh. Sanjive Bansal, Advocate for the complainant.

ORDER

1. Present bail application has been put up before me being Duty Officer moved on behalf of accused-applicant mentioned above under section 439 of Criminal Procedure Code in FIR No. 75 dated 02.06.2020, under sections 307, 379-B, 148, 149, 341, 506, 323 of Indian Penal Code registered at P. S. Lambra, Jalandhar.
2. Notice of the bail application was issued to the prosecution and Smt. Meetu Sheanhmar, Addl. P.P. for the State has appeared on behalf of State.
3. Police record received. Heard. The learned counsel for the

accused-applicant has contended that the accused-applicant is innocent and has been falsely implicated in this case. No injury attributed to the accused-applicant. The accused-applicant has been arrested in this case on 29.07.2020 and since then he is in custody. Presentation of challan and conclusion of trial will take considerable long time. No useful purpose shall be served by detaining the accused-applicant behind bars for unlimited period. He lastly prayed that accused-applicant may kindly be released on bail.

4. On the other hand, Learned Addl. PP for the State strongly opposed the bail application of the accused-applicant and prayed for dismissal of the bail application.

5. Having heard both sides, I have gone through the record. Perusal of the file reveals that the present case has been registered against the accused-applicant along with his co-accused on the statement of Balraj Kumar who in his statement specifically stated that on 29.05.2020, he along with his brother Jasvir Kumar were present at home. His brother received a call from Prince on mobile no. 98155-18127 that he along with his friend Happy have been encircled by Balwinder Kumar, member panchyat along with his accomplices near smadh of Peer Baba Rehmat Shah who were owing a Safari car bearing registration no. PB-08-CT-0441. When he along with his brother Jasvir Kumar, Sajan son of Madan Lal and Amit son of Soma reached at the disclosed place, they noticed that Balwinder Kumar armed with datar, Chaman Lal son of Bihari Lal armed with iron rod, Rakesh Kumar @ Sonu son of Sukhwinder Pal @ Pali @ Pinki armed with base bat,

Harjinder Kumar son of Lal Chand armed with stick, Lakhvir @ Lakha son of Chaman Lal empty handed, Baljit Kumar @ Babbi son of Mohinder Pal, Sunny son of Paramjit armed with stick, Deepak Kumar @ Monu son of Madan Lal empty handed, Harpreet Singh @ Happy son of Kewal Ram armed with datar, Pawan Kumar @ Pali son of Gurdas Ram, resident of Hussainpur, Sunny Kumar son of Gurmej Lal, resident of Hussainpur, Manjit @ Jeeta son of late Telu Ram, resident of Hussainpur armed with stick and Onkar Dial son of Balwinder Kumar armed with kirpan, residents of Hussainpur, have encircled them. These persons stopped forcefully their Activa Scooter bearing registration no. PB-08-EJ-4919 and Balwinder Kumar raised lalkara that they be caught and not be spared. Rakesh Kumar @ Sonu son of Sukhwinder Pal, Ranbir son of Ram Aasra, Rashpal @ Pali son of Gurdas Kumar caught his brother Jasvir Kumar and Onkar Dayal son of Balwinder Kumar gave a kirpan blow with intention to kill his brother Jasvir Kumar which hit on the left side of head of his brother Jasvir Kumar. Another blow was raised by Rakesh Kumar with base bat which hit on the left arm of his brother. Thereafter, Deepak Kumar @ Sonu son of Madan Lal also gave base bat blow in the belly of his brother, Chaman Lal son of Bihari Lal also beaten up his brother. His aunt (Tayi) namely Pushpa wife of Des Raj was already present at place of Peer and was serving there came outside on hearing the noise. Baljit Singh son of Mohinder Pal snatched gold chain and left ear ring of his aunt Pushpa and torn his clothes and pulled her hair. Harpreet @ Happy son of Kewal Ram, Lakhvir @ Lakha son of Chaman Lal, Sunny son of Paramjit, Manjit @ Jeeta son of Telu Ram also

beaten up Anupam. They raised hue and cry at this, the culprits ran away in their vehicle by raising threats to kill them from the spot. Thereafter, the complainant taken away his brother Jasvir Kumar on his Active and reached to Civil Hospital, Jalandhar for his treatment.

6. Perusal of file reveals that no injury is attributed to the accused-applicant. Accused-applicant has been arrested in this case on 29.07.2020 since then he is in custody. Presentation of challan and conclusion of trial shall take long time. No useful purpose shall be served by keeping the accused-applicant behind the bar for further period. As such, the learned Illaqa Magistrate/Duty Magistrate is directed to release the accused-applicant on bail on furnishing his bail bonds for the sum of ₹50,000/- with one surety in the like amount subject to the following conditions:

1. That the accused/applicant shall not tamper with the prosecution evidence.
2. That the accused/applicant shall appear before the Court on each and every date of hearing.
3. That the accused/applicant shall not leave country without prior permission of court.

Police record be returned forthwith and file of bail application be consigned to record room.

Pronounced in open Court:

Dated: 20.08.2020

**Sushma*

(Darbari Lal)
Addl. Sessions Judge,
Jalandhar (UID No.PB0087) (Duty)

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Rakesh Kumar vs State

Present: Sh. Vipin Kanwar, Advocate for the applicant-accused (Through VC).
Smt. Meetu Sheahnmar, Addl.P.P. for the State assisted by Sh. Sanjive Bansal, Advocate for the complainant.

Police record received and perused. Arguments heard. Vide separate detailed order of even date, the instant bail application moved by the accused-applicant is hereby, allowed. Police record be returned forthwith and file of bail application be consigned to record room.

Pronounced in open Court:

Dated: 20.08.2020

**Sushma*

(Darbari Lal)
Addl. Sessions Judge,
Jalandhar (UID No.PB0087) (Duty)