

Gurjit Singh & others vs. State

**IN THE COURT OF SH. AVTAR SINGH BARDA
ADDITIONAL SESSION JUDGE ,SAS NAGAR
UNIQUE IDENTIFICATION CODE NO. (PB0159)**

CNR no. PBSA010108532022
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Date of Order: 01.12.2022.

1. Gurjit Singh @ Jeeta, aged about 30 years
2. Kuljit Singh @ Babu, aged 28 years
both sons of Mohan Singh r/o village Khairpur, Tehsil Kharar, Distt. SAS
Nagar.

..... Bail applicant

Vs.

State of Punjab

.... Respondent

F.I.R.No 74 dated 10.11.2022

U/ss 323,354,506, 34 IPC

P.S. Block Majri.

BAIL APPLICATION U/S 438CR.P.C.

Present: Sh. Harkishan Singh Advocate, learned counsel for
accused/applicants.
Mr Manjit Singh learned Addl.P.P for the State.

ORDER

1. Police record received . Heard on the bail application filed
by bail applicant under Section 438 Cr.P.C .
2. In brief, the case of prosecution as per statement of

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complainant is that on 24.10.2022 at about 9:45 P.M, she was working in her house and her father in law was feeding the buffaloes then Mohan Singh (Taya) who is elder brother of his father in law came there and started abusing his father in law. He is in drunkard condition and due to slip of foot, he fell down. Then, Gurjit Singh @ Gurjita , Kuljit Singh @ Babbu came there who were armed with danda and started beating his father in law. When she went outside then her husband also came there. Gurjit Singh @ Gurjit who was armed with Salanga, tried to give salanga blow on her husband but she came in front of her husband then they both hit on her head with the help of Salanga and then they gave blow of Salanga on her left arm. Gurjit Singh and Kuljit Singh gave wrong comments to her and also started abusing her. They also misbehaved with her. Therefore, she became unconscious. Her husband took her to hospital. On the basis of statement of complainant, present case was registered against applicants-accused.

3 Notice of the bail application was given to State upon which Mr. Manjit Singh , Addl. PP for State has put in appearance.

4 Learned counsel for bail applicants has argued that applicants- accused have not committed any offence. They are innocent. Learned counsel for bail applicants has further argued that nothing to be recovered from them and they have been falsely implicated in the present case. In last, counsel for applicant has prayed for allowing the bail application .

5. On the other hand,learned Addl. PP for State has opposed

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the arguments of learned counsel for bail applicants on the ground that bail applicants have committed heinous offence. He has further argued that accused/applicants have played active role in the occurrence. In last, he prayed that bail application may kindly be dismissed.

6 After going through the rival contentions submitted by learned Addl. PP for the State as well as that of learned counsel for bail applicant, it is revealed that a specific role has been attributed to accused-applicants in the occurrence dated 24.10.2022. As per prosecution version, applicants-accused who were armed with Salanga, gave salanga blow on left arm and head of complainant and caused injuries to complainant in the alleged occurrence. Further, as per prosecution version, bail applicants gave wrong comments to complainant and also abused her in order to outrage her modesty. In this way, bail applicants played active role in the above mentioned occurrence, as per prosecution version. Apart from that , investigation of this case is still in progress. The custodial interrogation of bail applicants may be required for the purpose of further investigation as well as for effecting recovery of weapon of offence.

7 Accordingly, keeping in view of the detailed discussion of mine, the application in hand carries no weight in it and same is, hereby, dismissed. Concerned Ahlmad of this court is directed to return the police record to the concerned Police

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official/Naib court of this court against proper receipt as per
rules. Bail application file be consigned to record room.

Pronounced: 01.12.2022

Jyotsna
Stenographer I

(Avtar Singh Barda)
Additional Sessions Judge,
SAS Nagar (Mohali)
UID NO. PB0159

This order has been directly dictated on the computer.

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Present: Sh. Harkishan Singh Advocate, learned counsel for
accused/applicants.
Mr Manjit Singh learned Addl.P.P for the State.

Police record received. Arguments Heard. Vide my
separate detailed order of even date, the bail application stands
dismissed. Police record be returned to the concerned Police
official/Naib court of the court against proper receipt .File be
consigned to Record Room.

Pronounced:01.12.2022

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