

**THE COURT OF SHRI PARMINDER SINGH RAI, ADDITIONAL
SESSIONS JUDGE, TARN TARAN**

CIS No : BA/3021/20.
Date of Institution : 21.12.2020.
Date of Decision : 15.01.2021.

Balwant Singh son of Amrik Singh, resident of Gulalipur, Tarn Taran.

----Applicant/accused.

Versus.

State of Punjab.

-----Respondent.

DDR No. : 25 dated 12.07.2020.
Under Section : 323,324,326,506,148,149 IPC.
FIR No. : 235 dated 08.07.2020.
Police Station : Sadar Tarn Taran.

Application under Section 438 Cr.P.C..

Present: Sh. A.S. Dhillon, Advocate, counsel for the applicant/accused.
Sh. Gurpreet Singh Rana, APP for the State.

Accused/applicant has moved the present bail application under
Section 438 Cr.P.C. seeking grant of anticipatory bail.

Heard. Learned counsel for accused has argued that the applicant/accused is innocent and has been falsely implicated in the present case. It is further argued that the brother of the accused who has lodged the case against the complainant at the first instance and it was they who were at the receiving end and false cross version with false injuries have been got registered and moreover accused/applicant Balwant Singh has not been attributed anything except Lalkara and he is ready to join the investigation.

Learned APP for the State has opposed the bail application on the ground of seriousness of the offence.

Record has been received and perused. As per the contents of DDR No.25 dated 12.07.2020 in case FIR No. 235 dated 08.07.2020 so recorded on the statement of one Jaasa Singh that on 08.07.2020 he went to

his shop and when was coming back at about 08:30pm and was near government school then one vehicle Balero stopped in front of him from which five person alighted which were Balwant Singh empty handed, Jaimal Singh armed with kirpan, Shamsher Singh armed with kirch, Gurjant Singh armed with dang, Ravisher Singh armed with base-bat. Balwant Singh raised Lalkara that he be not spare and be taught a lesson for complaining in their house. Jaimal Singh gave kirpan blow to him hitting on left elbow of his arm. Shamsher Singh gave kirch blow hitting on the nose on the right side. He fell on the ground. While he was lying on the ground Gurjant Singh gave dang blow hitting on his waist. Ravisher Singh gave basebat blow hitting on his waist. When they raised loud voices, the assailants escaped with their respective weapons.

At this stage without commenting on merits of the case as of now and given that applicant has been attributed only Lalkara and who was even empty handed and case being of version and cross version, the accused is directed to join the investigation till 28.01.2021 and in such event the applicant/accused will be admitted on interim bail to the satisfaction of arresting officer/investigation officer/SHO concerned of the police station subject to conditions:-

- a) The applicant shall join the investigation and corporate with the same as and when called by the investigation officer.
- b) He will not tamper with the prosecution evidence.
- c) He will not leave the country without prior permission of the court. Report be submitted in this court and for consideration on the said

date.

Pronounced
15.01.2021

Jaswinder Singh
Stenographer-III

Parminder Singh Rai
Additional Sessions Judge
Tarn Taran/UID-PB0175