

BA/CIS No.3016-2022

Jagraj Singh Vs. State of Punjab.

FIR No.73 dated 15.09.2022

Under Section 379-B/323/341/148/149/506/120-B IPC

Police Station: Khanauri.

Application for bail u/s 438 Criminal Procedure Code.

Present: Shri Gagandeep Bhagria Advocate, counsel for the accused-applicant.
Shri Savinder Saini, Additional Public Prosecutor for the State.
Shri S.K.Attri Advocate for complainant.

ORDER:

1. This is an application for seeking anticipatory bail under Section 438 Criminal Procedure Code filed by accused-applicant **Jagraj Singh** son of Shri Guljar, resident of House No.1466, Ward No.2, Raj Nagar Tohana, District Fatehabad (Haryana) in the aforesaid case.
2. Notice of the bail application was given to State. The learned Additional PP for the State, made appearance on behalf of the State and got produced the police record.
3. I have heard the learned Counsel for applicant, Additional PP for the State and also perused the record.
4. It is submitted in the application as well as argued by the learned counsel for the applicant/accused that the applicant is peace loving and law abiding citizen of India. The applicant has not committed any offence as alleged in the FIR. The applicant has been falsely implicated in the present case by the police of P.S.Khanauri. If the

applicant arrested by the police, he will be subjected to torture and shall be humiliated in general public. The applicant/accused is ready to join the investigation of the case as and when required by the police. The applicant/accused will abide by such conditions as the Court imposed and will not misuse the concession of bail, so he be released on bail.

5. On the other hand, while controverting his contentions, the learned Additional PP for the State has vehemently argued that the allegations against the applicant are grave in nature, he does not deserve the leniency of the Court in grant of relief of anticipatory bail and that thus he should not be granted bail.

6. From the perusal of the record, it transpires that the present FIR in the present case was lodged against six unknown persons on the basis of statement of complainant Shamsher Singh dated 15.09.2022. In submitted that at about 7:50 A.M, when he was going from his house at village Karauda to his commission agent shop at Khanauri on his motor cycle bearing No.PB-13AX-2461 and had reached bridge Bhakhra Canal Chatha Gobindpura, two motor cycles having three riders each all having muffled faces and brandishing sticks (Gandasas) and baseball bats followed him. He further stated that one of the motor cycles came parallel to him and the other motor cyclist stopped him by parking his motor cycle in front of him. He further stated that the assailants then gave blows to him with their weapons, at which he raised alarm. He further

stated that the assailants then snatched away his mobile phone along with Rs. 39,000/- in cash.

Subsequently, a supplementary statement of complainant was recorded wherein he disclosed the names of Jagraj Singh (bail applicant), Amarjit Singh @ Mitta, Hardeep Singh @ Ladda and Lakhwinder Singh @ Lakhi and accordingly they were nominated as an accused in this case.

7. There are grave and serious allegations against the accused/applicant. The complainant has specifically named the accused. There are total of 7 injuries on the person of the complainant. So clearly custodial interrogation of the accused is required to find out about the modus operandi and also to make full recovery of snatched and stolen articles and weapons. So far as the **averments/contentions of the learned counsel for applicant are** concerned, those are matters to be appreciated only after taking evidence during trial. At this stage, it is too early to jump to any conclusion for the purpose of bail. Therefore, without further delving into the merits of the case, the court is of the opinion that at this stage, no exceptional circumstances are made out to attract the provision u/s 438 Cr.P.C for granting pre-arrest bail to the present **applicant Jagraj Singh**. Consequently, the bail application is **dismissed**. Police record be returned.

Announced in open Court.
Dated:11.10.2022.
Mamta Threja, JW.

(Gurpartap Singh)
Addl. Sessions Judge, Sangrur
(UID-PB0206).

