

IN THE COURT OF HARPREET KAUR RANDHAWA(UID-PB0038) SESSIONS JUDGE, TARN TARAN

B.A.-I

CNR No.PBTT01/005677-2019

B.A. No. 3053 OF 2019

DATE OF ORDER : 29.10.2019

1. Gurjit Singh son of Mehal Singh,
2. Mehal Singh son of Sadha Singh,
3. Resham Singh son of Bachan Singh, all residents of village Kalsian Kalan, Tehsil Patti, District Tarn Taran.

..... Accused/applicants

vs.

State of Punjab

..... Respondent

B.A.II

CNR No.PBTT01/005678-2019

B.A. NO. 3054 OF 2019

DATE OF ORDER : 29.10.2019

1. Gursewak Singh son of Major Singh,
2. Manpreet Singh son of Avtar Singh @ Lavtar Singh, both residents of village Kalsian Kalan, Tehsil Patti, District Tarn Taran.

..... Accused/applicants

vs.

State of Punjab

..... Respondent

B.A.III

CNR No.PBTT01/005679-2019

B.A. NO. 3055 OF 2019

DATE OF ORDER : 29.10.2019

1. Gurjant Singh son of Surjit Singh,
2. Manpreet Singh son of Resham Singh, both residents of village Kalsian Kalan, Tehsil Patti, District Tarn Taran.

..... Accused/applicants

vs.

State of Punjab

..... Respondent

B.A.IV

CNR No.PBTT01/005680-2019

B.A. NO. 3056 OF 2019

DATE OF ORDER : 29.10.2019

1. Gurvail Singh of Dhara Singh,
2. Major Singh son of Hansa Singh, both residents of village Kalsian Kalan, Tehsil Patti, District Tarn Taran.

..... Accused/applicants

vs.

State of Punjab

..... Respondent

B.A.V

CNR No.PBTT01/005681-2019

B.A. NO. 3057 OF 2019

DATE OF ORDER : 29.10.2019

1. Bhupinder Singh @ Bhinda Driver son of Dhara Singh,
2. Gurdev Singh son of Pritam Singh, both residents of village Kalsian Kalan, Tehsil Patti, District Tarn Taran.

..... Accused/applicants

vs.

State of Punjab

..... Responden

FIR no. 95 dated 09.09.2019

U/s 452, 326, 324, 323,341,506,148,149, 120-B of IPC

P.S. Bhikhiwind.

Bail Applications u/s 438 Cr.P.C.

Present: Sh. Kawaljit Singh Batth, Advocate counsel for the accused-applicants

Sh. Parmod Kumar Sharma, Public Prosecutor for the State

Order

1. This common bail order of mine is going to be passed in the above titled anticipatory bail applications filed by the accused/applicants Gurjit Singh, Mehal Singh, Resham Singh, Gursewak Singh, Manpreet Singh, Gurjant Singh, Manpreet Singh son of Resham Singh, Gurvail Singh, Major

Singh, Bhupinder Singh @ Bhinda and Gurdev Singh u/s 438 Cr.P.C as the same have been filed in the same FIR No. 95 dated 09.09.2019 lodged at police station Bhikhiwind u/s 452, 326, 324, 323,341,506,148,149, 120-B of IPC.

2. The present case was registered on the statement of complainant Gursahib Singh @ Judge, resident of Kalsian Kalan, Police Station Bhikhiwind on 09.09.2019 to the effect he is labourer by profession. They are five brothers. Eldest is Nawab Singh, then comes complainant and his younger brothers are Gulab Singh, Rashpal Singh and Anwar Singh. He has also got one sister, who is married and his two brothers are unmarried. In the street which leads to their house, Major Singh used to give bath to his cattle and in this regard, there was a minor dispute between them which was compromised by the Panchayat. On 06.09.2019 at about 6:30 A.M., Mukhtar Singh was going for his work, in the meanwhile Major Singh was giving bath to his cattle in the said street, on which Mukhtar Singh said to Major Singh that let him take his cart first. On this, both of them had minor altercation. Major Singh started calling to Gurvail Singh and other persons. In the meanwhile, Gurvail Singh armed with datar, Jugraj Singh armed with datar Major Singh armed with gandasi, Gursewak Singh armed with dang, Gurjit Singh armed with dang, Manpreet Singh son of Avtar Singh armed dang, Gurjant Singh armed with dang, Manpreet Singh son of Resham Singh armed with gandasi, Gurdev Singh, Resham Singh and Mehal Singh came there. They came in the street and in the meantime, Mukhtar Singh calling the complainant. The complainant further stated that he tried to sensitize

both the parties that it is not good to quarrel like that and the matter should be taken before the Sarpanch. However, accused persons stated that Bakhshish Singh Sarpanch cannot get the matter compromised. In the meantime, Resham Singh and Mehal Singh gave lalkara that they should be taught a lesson for stopping them for bathing their cattle in the street. Accused/applicant Jugraj Singh gave blow from the datar which he was carrying on the head of the complainant which he tried to save by raising his arm and said blow hit on the left arm of the complainant. When Mukhtar Singh came forward then Gurvail Singh gave the blow of datar on Mukhtar Singh which hit on the upper side of his left ear. Both of them raised alarm "Mar Dita, Mar Ditta" Bothers of complainant namely Anwar Singh and Nawab Singh came forward to save them but Major Singh gave gandasi blow from reverse side on Nawab Singh which hit on the right side of his head and then Gursewak Singh gave dang blow on Anwar Singh which hit on the one of fingers of his right hand. Gurjit Singh gave dang blow which hit on the right shoulder of Nawab Singh. One Manpreet Singh gave dang blow which hit on the head of Anwar Singh. In the meantime, sister-in-law of the complainant Amarjit Kaur wife of Jaswant Singh and aunt Raj Kaur wife of Barkat Singh came there to save the complainant. Then, Manpreet Singh gave gandsi blow on the person of Amarjit Kaur and she fell down and Gurjant Singh gave dang blow on the person of aunt of complainant Raj Kaur on her right shoulder. When Raj Kaur went inside her house, Major Singh and Gurdev Singh came there and had given beatings to Raj Kaur by holding her from her hair. Thereafter, the above said persons ran away from

the spot along with their respective weapons after giving life threats to the complainant party. The motive behind the occurrence was that the complainant was stopping the accused persons from giving bath to their cattle in the street.

3. It is stated in the bail applications that the complainant has lodged a false case against the accused and falsely implicated the accused/applicants in the present case. The present case is the case of version and cross version. The complainant party has caused multiple injuries on the person of Jugraj Singh and to this effect, a cross case has been registered against the complainant party. Accused/applicants are ready to join the investigation as and when required by the police. They undertake to abide by all the terms and conditions as imposed by this court. As such, a prayer for release of accused/applicants on anticipatory bail has been made.

4. Notice of bail applications was given to Public Prosecutor for the State, who has appeared and strongly opposed the bail applications and prayed that present bail applications may be dismissed.

5. I have gone through the record carefully and considered the contentions of learned counsel for accused/applicants and rival submissions of learned Public Prosecutor for the State.

6. As is apparent from the facts and allegations levelled in the present case, the injuries attributed to accused-applicants Gurjit Singh, Gursewak Singh, Manpreet Singh, Gurjant Singh, Manpreet Singh son of Resham Singh, Gurvail Singh and Major Singh are simple in nature. As far as the accused-applicants Mehal Singh, Resham Singh, Bhupinder Singh @

Bhinda and Gurdev Singh are concerned, they were empty handed and no injury is attributed to them and only lalkara is attributed to accused/applicants Resham Singh and Mehal Singh. Thus, considering all these facts and circumstances, this court had directed the accused/applicants to join the investigation within a period of five days from 18.10.2019. Accused/applicants have joined the investigation accordingly. Record in this regard has been produced by SI Narinder Singh. Hence, keeping in view the facts and circumstances of the present case as explained above and the fact that accused/applicants have already joined the investigation on 26.10.2019 and that nothing is to be recovered from them, the interim bail order dated 18.10.2019 is made absolute and present bail applications stand allowed for the reasons mentioned above and in the interim bail order dated 18.10.2019. Copy of this order be placed on the file of connected bail applications.

7. Before parting with this order, it is made clear that nothing contained above shall be taken as an expression of mind on the merits of main case and is strictly for the purpose of decision of these bail applications. The record of bail applications be consigned to the record room.

Pronounced in the open court

(Harpreet Kaur Randhawa),
(UID-PB0038)
Sessions Judge,
Tarn Taran.

October 29, 2019

SG-I: Rajinder Kumar