

In the Court of Shri Manjinder Singh,
Additional Sessions Judge, Sangrur.
UID No. PB0064.

PBSG010086742022



BA/3047/2022

Presented on : 04-10-2022

Registered on : 06-10-2022

Decided on : 17-10-2022

Duration : 0 years, 0 months, 13 days

Jaspreet Singh Nanrey aged about 27 years son of Surinder Singh resident of village Abdullapur, Tehsil and District Malerkotla (now confined in Sub Jail, Malerkotla).

...Accused.

FIR No. 83 of 17.08.2022

Under Section 365,355,382,506 IPC and section 3(1)(a), 3(1)(e) SC & ST Act.

Police Station Sandaur.

Application under Section 439 Cr.P.C.

Present: Shri Jagmeet Singh Adv. counsel for the applicant/ accused.
Shri R.S. Kaulhdar, Additional Public Prosecutor for State.

ORDER:

1. This order will dispose off bail application moved by applicant/ accused Jaspreet Singh Nanrey under Section 439 of Code of Criminal Procedure in case bearing FIR No. 83 of 17.08.2022, under Section 365,355,382,506 IPC and section 3(1)(a), 3(1)(e) SC & ST Act, Police Station Sandaur.

2. Upon notice, this application was contested by learned

Manjinder Singh
Additional Sessions Judge
Sangrur. 17.10.2022.

Addl.P.P for the State.

3. I have heard learned counsel for the accused/applicant, learned Addl.P.P. for the State and have gone through the file very carefully with their able assistance.

4. Learned counsel for applicant/accused has argued that applicant/accused has been falsely implicated in this case. The above mentioned alleged FIR has been wrongly registered against the applicant. Applicant has not committed any such offence as alleged in the FIR. Applicant has been in judicial custody since 17.08.2022 and is not required for any custodial interrogation. The presentation and disposal of challan will take time. Nothing is required to be recovered from his possession. Hence, no useful purpose would be served by keeping the applicant/accused behind the bars for indefinite period. Therefore, it is prayed that applicant/accused may kindly be released on bail.

5. On the other hand, learned Additional Public Prosecutor for State has vehemently argued that applicant/accused is not entitled to get the concession of bail as offence attributed to accused/applicant is very serious in nature and no leniency is required in such like matters. Hence, prayed for dismissal of the application.

6. From perusal of the police file, this Court finds that this case was registered on the statement of complainant Hardev Singh. In his statement, he has stated that he is resident of village Lohat Baddi Tehsil

Raikot, District Ludhiana and he is belonging to Balmik Majhbi Sikh Caste. He is working as a granthi in a Gurudwara at village Abdullapur Chohane. Due to which many ladies from the village used to give food to him and even he used to visit their houses. Since last one month he has started performing duty as granthi at Sirthala Gurudwara and one lady Gurjit Kaur of village Abdullapur Chohane used to call him for food. She even used to call him on her mobile. Except this there is no relationship between them. Due to this grudge, two sons of Gurjit Kaur namely Jaspreet Singh and Kaka alongwith two unidentified persons called him outside on mobile on 14.08.2022. When he came outside he was forcibly abducted and taken to their house in village Abdullapur Chohane where President of gurduwara Abdullapur Darshan Singh and cashier Jagjit Singh were already present. In their presence, these accused levelled false allegations against him and started abusing him and called him by word Churra. On the spot, his brother Gurcharan Singh was also called and he was stripped naked. Thereafter Jaspreet Singh gave lathi blow to him and painted black colour on his mouth. On these basis, present FIR was registered against accused/applicant and others. The accused was arrested in this case on 17.08.2022 and since then he is in custody. The criminal liability of the accused under sections 365,355,382,506 IPC and 3 (1) (a), 3 1 (e) of SC/ST Act cannot be determined at this stage. It will take sufficient time for presentation of challan and for completion of trial. No

useful purpose would be served to keep the applicant/accused behind the bars for an indefinite period as rather it amounts to burden on State exchequer. Even there is no apprehension that accused is in position to tamper with the prosecution evidence or to abscond from the Court proceedings. As such, without commenting on the merits of the case, bail application is allowed and the applicant/ accused Jaspreet Singh Nanrey is ordered to be released on bail on his furnishing bail bonds to the tune of ₹50,000/- with one surety in the like amount to the satisfaction of learned Illaqa/Duty Magistrate, P.S. Sandaur with the condition that applicant/accused will neither leave the country without prior permission of the Court nor he will tamper with the witnesses of the prosecution and he will appear before the learned trial Court on each and every date of hearing. Police record be returned immediately and copy of this order be sent to the learned Illaqa/Duty Magistrate, P.S. Sandaur. File of this bail application be consigned to record room.

Pronounced
Dated: 17.10.2022
shama Stenographer Gr-I
Directly dictated on computer.

(Manjinder Singh),
Additional Sessions Judge,
Sangrur. UID No. PB0064.

Manjinder Singh
Additional Sessions Judge
Sangrur. 17.10.2022.