

**IN THE COURT OF KAWALJIT SINGH,
ADDITIONAL SESSIONS JUDGE, TARN TARAN.
(UID Number PB0155)**

Case Type	BA
Filing Number	5249/2021 Filing Date : 20.10.2021
Case Number	2999/2021 Registration Date: 25.10.2021
Case Code	PBTT01-006755-2021
Date of Order	29.10.2021

1. Charanjit Singh son of Ajit Singh,
2. Pritpal Singh son of Ajit Singh, both are residents of village Jalalabad, Tehsil Khadur Sahib, District Tarn Taran.

---Applicants/accused

Versus

State of Punjab

---Respondent

FIR No.81 dated 27.08.2021
Under Section 326, 324, 506, 34 IPC
Police Station Verowal

**Bail application in the cross version registered vide DDR
No.21 dated 09.09.2021 under Sections 326, 323, 506, 148, 149
IPC**

Bail application under Section 438 of Cr.P.C.

Present: Shri Sarbrinder Singh Sandhu, Advocate for applicants
Shri Satinderjit Singh, Additional Public Prosecutor for State

ORDER

Applicants have filed the instant bail application under Section 438 of Code of Criminal Procedure seeking anticipatory bail in the above noted cross version DDR No.21, dated 09.09.2021.

2. The present DDR has been got registered on the statement of complainant Davinder Kaur, who stated that she is a house maker. She has two sons. Name of her elder son is Vikarmdeep Singh and that of younger is Jobandeep Singh. Her husband is an agriculturist. A passage leading to village Mand is provided through their agricultural land since long. But

Charanjit Singh etc. were not considering this passage as correct and they moved an application to revenue authorities for demarcation and after the demarcation they got erected land marks in their fields. She and her son Jobandeep Singh were standing there in their Haveli at about 7 P.M. when Charanjit Singh bare handed, Harmandeep Singh armed with Datar, Bikramjit Singh armed with Kirpan, Pritpal Singh armed with Dang, Karandeep Singh armed with Gandasi and Paramdeep Singh armed with Kirpan came there. Immediately, upon their arrival, Charanjit Singh raised lalkara exhorting his co-accused to catch hold of them and be taught a lesson for cultivating the old passage. Then Kirandeep Singh gave a blow of Gandasi to her husband Gurcharan Singh and when he raised his arm to ward off the attack it hit on his right arm from its blunt side. Then Bikramjit Singh gave a Dang blow to her husband which hit on his right side of waist. When Harmandeep Singh gave a blow with Datar to her husband then to fend off the attack her husband moved backwards and fell down on the ground. Then Harmandeep Singh gave a Datar blow to her husband while he was lying on the ground which hit on this shin of his right leg. Pritpal Singh and Paramdeep Singh also gave beatings to her husband. She, her husband and son Jobandeep Singh raised hue and cry then accused after giving threats to kill them, fled away from the spot along with their respective weapons.

3. It is argued by the learned counsel for the applicants that this cross version is the counter blast to the FIR got lodged by Harmanjit Singh against the complainant party of this DDR. It is submitted that DDR has been got lodged after a delay of one month after the registration

of FIR with due deliberation and consultation in order to put pressure on the applicants and others to withdraw the FIR. It is submitted that the both the applicants are not attributed to have caused any injury to the husband of the complainant. Only lalkara has been attributed to the applicant no.1 and no specific role has been attributed to the applicant no.2 and with a view to rope them in this FIR falsely these vague allegations have been leveled. It is submitted that the applicants are also ready to join the investigation and will co-operate with the same. Therefore, it is prayed that applicants be granted anticipatory bail.

4. On the contrary, Additional P.P. for the State prayed for dismissal of bail application.

5. I have evaluated the contentions raised by both the parties. As per the allegations of the prosecution, applicant no.1 is said to have only raised lalkara and is not alleged to have caused any injury to the injured. Also no specific role has been attributed to the applicant no.2 except the vague allegations that he also gave beatings. Present is a cross version DDR which has been got registered after an unexplained delay of one month of the alleged occurrence. In case actually the injured had received injuries in this cross version of theirs then immediately information to the police would have been given. All the offences are triable by the Magistrate of First Class. Authenticity of the version of the complainant in this DDR and culpability of the applicants is a matter of evidence. The circumstance of the case does not make out a case for custodial interrogation of the applicant. As such, without commenting anything upon the merits of the case and in order to facilitate the fair

investigation, applicants are directed to join the investigation on or before 03.11.2021 and cooperate with the same and in the event of their arrest, they be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer on the following conditions:

- 1) That applicants shall appear before learned Investigating Officer as and when called upon him.
- 2) That the applicants shall not leave India without the prior permission of the court.
- 3) That the applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade from disclosing such facts to the court, during trial.

Adjourned to 03.11.2021 for awaiting report from concerned police station as to whether applicants joined the investigation or not? However, it is made here clear that observation made herein above shall not be construed as an expression on the merits of the main case.

Announced: 29.10.2021

Kawaljit Singh
Additional Sessions Judge,
Tarn Taran
UID Number PB-0155

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