

Jiwanjot Singh Vs State of Punjab (BA No.539 of 19/09/2019)

FIR No. 67 Dated 22/08/2019
U/Ss 336, 326, 324, 148, 149 IPC and
U/S 27 of Indian Arms Act,
Police Station Fatehgarh Churian.

Present: Shri R.S.Boparai, Advocate, counsel for petitioner.
Shri K.S.Gill, Additional P.P for State.

Police record produced. Present FIR was got registered by Amrik Singh with the allegations that on 01/02/2019, he was present at his house alongwith his wife and son and he was sitting on a cot in courtyard. His son and wife were present in the kitchen and the main gate of the house was closed. At about 6.30 AM, the main gate of the house was forcibly opened and Jiwanjot Singh armed with Revolver, Sandeep Singh, Khushwant Singh, Robinpreet Singh, Jaskaran Singh, Surjit Singh, Harjit Singh, Amandeep Singh and Bhagwant Singh armed with Datar entered in his house and Jiwanjot Singh raised Lalkara to teach a lesson to the complainant party for casting votes in favour of Shingara Singh. On this, Sandeep Singh gave him two blows of Datar which hit on the left and right side of his forehead. Khushwant Singh gave a Datar blow which hit on the right side of his forehead, Jiwanjot Singh pushed the complainant and threw him on the ground, Jaskaran Singh gave Datar blow near his right ankle, Surjit Singh gave a Datar blow on his right leg and right knee, Harjit Singh gave a Datar blow on his right leg, Robinpreet

Singh gave a Datar blow on his left leg and ankle, Khushwant Singh gave a Datar blow on his left leg, Amandeep Singh gave Datar blow on his left leg, Bhagwant Singh gave a Datar blow on his right leg. His wife and son raised alarm on which Shingara Singh and Massa Singh etc. came there to save the complainant, on which, Jiwanjot Singh fired in the air and thereafter, the assailants fled away from the spot.

2. It is submitted by learned Counsel for the petitioner that the alleged occurrence took place on 01/02/2019 but the present FIR was got registered by the complainant on 22/08/2019 i.e after delay of more than 7 months. He further submitted that this is a cross version case and in the occurrence in question, co-accused Robinpreet Singh also suffered four injures out of which, one injury was declared as grievous in nature, which was caused with sharp edged weapon. The injuries qua which offence under section 326 IPC is added in the FIR, are not attributed to the present petitioner. The petitioner is ready to join investigation and to cooperate in the same, so till the disposal of present bail application, he may be admitted to interim bail.

3. On the other hand, it is submitted by learned Addl.P.P that the allegations against the petitioner are serious in nature and his custodial interrogation is required for recovery of weapons of offence and for further investigation of present FIR, as such, the

present bail application may be dismissed.

4. I have considered the rival contentions of learned counsel for petitioner as well as of learned Additional Public Prosecutor and perused the record.

5. The present FIR was got registered after a delay of more than seven months. This is a cross version case and co-accused Robinpreet Singh also suffered injuries in the above occurrence. Keeping in view above facts and circumstances, petitioner is directed to join investigation on **26/09/2019** at 10:00 AM. In the event of his arrest, he shall be admitted to interim bail by the Investigating Officer on his furnishing bonds in the sum of Rs. 30,000/- with one surety in the like amount and subject to the fulfillment of the provisions of Section 438 (2) Cr.P.C. Now police record be produced on **27/09/2019** for arguments.

Pronounced in open court.
Dt: 24/09/2019
Rajiv Sharma, Stenographer-I

(Jaswinder Singh)
Addl.Sessions Judge,
Gurdaspur.UID No.PB0516