

**IN THE COURT OF GURJANT SINGH,
ADDITIONAL SESSIONS JUDGE,
GURDASPUR**

**Bail application No. 72 of 01.02.2019
CIS No. BA-299-2019
Date of decision : 06.02.2019**

Navdeep Singh @ Nanna aged about 25 years s/o Sukhbir Singh,
resident of Malawe Di Kothi, Batala, Tehsil Batala, District Gurdaspur

....Accused/applicant

versus

State of Punjab

....Respondent

Ist Bail Application under section 438 of Cr.P.C.

Present: Shri Sudesh Gupta, Advocate, for accused/applicant
Shri H.S. Bajwa, Additional Public Prosecutor for State

**FIR No. 272 dated 09.12.2018
Under Sec. 307, 341, 379, 148 & 427 read with Sec. 149 of
Indian Penal Code,
PS: Civil Lines, Batala,
District Gurdaspur**

**ORDER
(Delivered on 06-02-2019)**

This order of mine will dispose of bail application filed by
above named accused/applicant under section 438 of Criminal
Procedure Code averring that he is innocent and has been falsely
implicated due to party fiction.

2. Record has been received. Arguments have been heard.
3. Sh. Sudesh Gupta, Advocate, learned counsel for accused/applicant has argued that accused/applicant is innocent, has not committed any offence and has been falsely implicated in this case due to political rivalry. Accused/applicant is not required for any custodial interrogation and for any recovery. It has been thus prayed that accused/applicant may kindly be released on bail during pendency of trial.
4. These arguments have been refuted by Shri H. S. Bajwa, learned Additional Public Prosecutor for State, contending that allegations against accused/applicant are serious in nature and he cannot be extended concession of interim bail.
5. I have given due consideration to rival contentions and gone through record of this case.
6. From perusal of record, it is found that present case was registered on statement of complainant Sharanbir Singh son of Narinder Singh, resident of Miserpura, who has stated therein that on 08.12.2018 he had come to Batala for domestic work. On that day at about 9/10:00 p.m., Rajinder Singh @ Mittu son of Kunan Singh,

resident of Miserpura had met him near Qadian Chugi, who had been traveling in his car bearing registration No. CH-03R-3197. He had also sit in his car. When they have been going in car towards their village and had reached near Sulakhani Gate of Adda Umarpura then Rajinder Singh @ Mittu had told him that he had to carry vegetables for house and then had gone to buy vegetables after stopping his car. When he was buying vegetables from shop then 15/20 persons, who were holding datars, kirpans and handles of spades had come there. Some persons were known to him out of these persons. Accused Gurdip Singh son of Bawa Singh resident of Umarpura was armed with kirch, accused Nona was armed with datar, accused Gopi was armed with sword, accused Bau was armed with datar and Jagga was armed with datar. There were some unknown persons and he can identify them if they come before him. They had attacked upon them with an intention to kill. Accused Gurdip Singh had thrown Rajinder Singh on ground and other persons had encircled them. Accused Gurdip Singh had given blow with kirch blows many times on person of Rajinder Singh @ Mittu, which had hit on his mouth, head and nose. Blood had started oozing out of his wounds. Accused Nana, Gopi, Bau and Jagga

had caused injuries on person of Rajinder Singh alias Mithu with their respective weapons on his person. After that Rajinder Singh @ Mittu had become motionless. When Rajinder Singh @ Mittu was lying on ground then accused Gurdip Singh, Nanna, Gopi, Bau and Jagga had stolen 7 tola gold Karha, one gold ring and 1500 Euro from person of Rajinder Singh. When he had come to save Rajinder Singh then unknown persons who were armed with handles of spade had beaten him and he had sustained injuries. Accused had been raising lakara saying that Rajinder Singh alias Mithu used to abuse on them on telephone and he should abuse now on their face. To save himself, complainant had got aside. Accused had then damaged window panes and mirrors of car with their respective weapons and had damaged car badly.

7. From above narrated facts it is found that accused/applicant has been attributed simple injury on non-vital part of body of the victim. Accused who has been attributed grievous injury namely Gurdeep Singh has already been arrested. Victim has been discharged from hospital in satisfactory condition. In view of this fact, this court is of the opinion that accused/applicant should be given an

opportunity to put his version before the investigating agency. He is thus directed to join investigation within three days from today and on his doing so, he will be released on interim bail, subject to his furnishing personal bond in the sum of Rs.50,000/- with one surety of the like amount. He will be bound by following terms and conditions:

- 1) That, accused/applicant will join investigation within 5 days from date of this order and cooperate in investigation,
- 2) that, he will not influence any of witness/person acquainted with facts of this case,
- 3) that, he will appear before Investigating Officer as and when required **and**
- 4) that, he will not leave the country without prior permission of this court.

8. Now to come up on 11.02.2019 for its compliance and awaiting further progress report regarding investigation qua accused /applicant.

Pronounced

06.02.2019

Aditya Kumar, Stenographer-III

Next date:- 11.02.2019

Purpose:-

(Gurjant Singh),
Additional Sessions Judge,
Gurdaspur/UID No.PB0080