

**IN THE COURT OF MS. JATINDER KAUR,
SESSIONS JUDGE, FAZILKA (UID No. PB0062).**

CIS NO. BA/310/2024.

Date of Instt: 13.02.2024.

CNR No. PBFZC0-000912-2024.

DATE OF ORDER: 15.02.2024.

1. Sher Singh aged about 78 years son of Gajjan Singh,
2. Makhan Singh aged about 47 years son of Sher Singh,
3. Gurnam Singh aged about 39 years son of Sher Singh,
4. Baljeet Singh aged about 23 years son of Makhan Singh, all residents of Ladhuka, Tehsil and District Fazilka.

----Applicants-accused.

Versus

Surinder Singh son of Munsha Singh resident of Dhani Dhola Singh Dhakli village Ghurka, Tehsil and District Fazilka.

-----Respondent-complainant.

Application for bail u/s 438 (i) Cr.P.C. in a complaint case under sections 326, 324, 323, 34 IPC, P.S. Sadar, Fazilka.

Present: Sh. Sanjeev Pandhu, Advocate counsel for applicants.
Sh. Des Raj Kamboj, Advocate counsel for respondent.

ORDER

This order of mine shall dispose off present anticipatory bail application U/S 438 (1) Cr.P.C. moved by the aforementioned applicants-accused in a complaint case under section 326, 324, 323, 34 IPC filed by the complainant Surinder Singh. Vide order dated 06.01.2024 passed by learned Illaqa Magistrate, accused Sher Singh, Makhan Singh, Gurnam Singh and Baljeet Singh were ordered to be summoned to face trial for committing offences under sections 326, 324, 323, 34 IPC.

2. Notice of the bail application was given to the respondent-

complainant. Shri Des Raj Kamboj, Advocate put appearance on behalf of complainant and filed his *wakalatnama*.

3. I have heard the learned counsel for the accused-applicants, learned counsel for respondent-complainant and have also perused the record.

4. The learned counsel for the applicants-accused contended that a complaint titled as 'Surinder Singh versus Makhan Singh & others' has been filed before the Illaqa Magistrate by the complainant by levelling false allegations against the applicants-accused. In the said complaint, the applicants-accused have been summoned vide order dated 06.01.2024 under sections 326, 324, 323, 34 IPC by the learned Trial Court. The applicants are ready to face trial before the learned Trial Court. The learned counsel for applicants-accused has thus, prayed for acceptance of the present anticipatory bail application.

On the other hand, learned counsel for respondent-complainant has contended that the applicants-accused have committed serious offences by causing grievous and simple injuries to complainant and his wife and thus, the applicants-accused are not entitled for anticipatory bail and prayed for dismissal of the same.

5. Considering the facts and allegations levelled against the accused-applicants and the fact that the applicants-accused have been summoned by the learned Trial Court to face trial under sections 326, 324, 323, 34 IPC vide summoning order dated 06.01.2024, other than on police report, and as the applicants are ready to face trial, the applicants are directed to appear before the Trial Court within 07 days from today and on their appearance, the Court shall release them on bail to the satisfaction of the Trial Court/Duty Magistrate. Accordingly, present application is hereby

allowed. Copy of this order be sent to the Trial Court.

6. Bail application file be consigned to the Record Room,
Fazilka, after due compilation. Sd/-

Pronounced
Dated: 15.02.2024
(Sanjeev Narang)
(Stenographer Gr. II)

(Jatinder Kaur),
Sessions Judge,
Fazilka (UID No. PB0062)

BA 310 of 2024 Sher Singh and others versus Surinder Singh
CNR No. PBFZC0-000912-2024

Present: Sh. Sanjeev Pandhu, Advocate counsel for applicants.

Upon notice, Shri Des Raj Kamboj Advocate put appearance and filed wakalatnama on behalf of respondent-complainant. Record of learned Lower Court received and perused.

Heard. Vide my separate & detailed order of today, the bail application u/s 438 (1) Cr.P.C. applied on behalf of aforementioned applicants-accused has been disposed off, as recorded therein.

Bail application file be consigned to the Record Room, Fazilka, after due compilation.

Pronounced
Dated: 15.02.2024
(Sanjeev Narang)
(Stenographer Gr. II)

Sd/-
(Jatinder Kaur),
Sessions Judge,
Fazilka (UID No. PB0062)