

**In the Court of Rajesh Kumar,
Additional Sessions Judge, Amritsar**

CNR No. PBAS010094772023



Case No. BA/3083/2023

Presented on : 30-05-2023
Registered on : 31-05-2023
Decided on : 05-06-2023

S T A T E

Versus.

Gurpreet Singh s/o Labh Singh, r/o village Gandua, PS Dharamgarh,
District Sangroor.

.....Accused.

**FIR No.26 dated 18.03.2023.
U/ss. 279, 353, 186, 506, 336, 427 IPC and
Section 25(2)/27/29/54/59 of Arms Act.
P.S. Khilchian, Amritsar.**

1st bail application u/s. 439 Cr.P.C.

Present :- Sh. Shukarguzar Singh, Adv. Counsel for applicant/
accused
Ms. Rittu Kumar, learned Addl.PP for the state

O R D E R

1. This order shall dispose off bail application moved on
behalf of above said applicant/accused under Section 439 Cr.P.C.

2. Concise facts necessary for the disposal of the instant bail application are that on 18.03.2023 the police party laid a special picket at T-point of Bhinder - Rattangarh and at 9:30 a.m. a vehicle i.e. Mercedes bearing no.HR-72-E1818 came from the side of village Jallupur Khera in which on the conductor seat there was Bhai Amritpal Singh and said vehicle was being driven by Harjit Singh. The second vehicle bearing no.PB-10-FF-0089 marka Endeavour was being driven by Harminder Singh and on the conductor seat there was Ajaypal Singh and on the back seat there was Baljinder Singh. Along with that there also came two other vehicles i.e. Endeavour and Creta in which Savreet Singh, Guralpal Singh @ Pala and Amandeep Singh @ Jyoti were present. All the above vehicles were signalled to stop by the police but drivers of the said vehicles increased the speed of the vehicles and drive the same in negligence manner and struck the vehicles with the barricade and broken the same and further also unfurled the deadly weapons in the air. The occupants of above vehicles obstructed the police in performing their official duty and thereafter all the accused persons ran away towards Khaddor Sahib in their vehicles.

3. Notice of the bail application was given to state and record was also summoned.

4. Learned counsel for the applicant argued with the lines of bail application and submitted that no useful purpose will be served by detaining the accused/applicant behind the bars for indefinite time. Thereafter, prayer was made to allow the bail application.

5. Per contra, learned Addl. P.P. for the state assisted by learned counsel for the complainant has argued that there are serious allegations against the applicant/accused and there is every likelihood that if he is granted bail then he would threaten the prosecution witnesses which would prejudice the trial. Thereafter, prayer for dismissal of bail application was made.

6. I have heard the rival submissions besides perusing the record.

7. Heard. As per the allegations of the prosecution, in the present case, applicant/accused along with co-accused, obstructed the police in performing their duties and also unfurled deadly weapons in the air and further drive the vehicles in a negligence manner and broken the barricade installed by the police and did not stop their

vehicles in spite of the signall of the police. There are specific allegations against the accused/applicant. There is every likelihood that if the applicant/ accused is granted the concession of bail then he would threaten the prosecution witnesses which would prejudice the trial and there are also chances to flee away of the applicant/accused. Keeping in view the nature and gravity of the offence alleged to have been committed by the applicant/accused, this court finds that there is no justification to grant the concession of bail to the applicant/accused. Accordingly, without commenting on merits, the instant bail application deserves dismissal and is hereby dismissed. Record be returned along with the copy of this order. Bail application papers be consigned to the record room.

Pronounced in open court.

Dated: 05.06.2023.

**(Rajesh Kumar),
Additional Sessions Judge,
Amritsar. UID No.PB0441**

Narinder Sharma,
Stenographer Grade-II.