

PBBT010089382023



Presented on : 10-08-2023
Registered on : 10-08-2023
Decided on : 18-08-2023
Duration : 0 years, 0 months, 8 days

IN THE COURT OF DR RAM KUMAR SINGLA,
UID NO. PB-0122,
ADDITIONAL SESSIONS JUDGE,
BATHINDA.

CIS No. BA-2782-2023

Date of Order: 18.08.2023

1. Gurlab Singh, aged about 38 years son of Gurdeep Singh;
 2. Jasvir Singh, aged about 57 years son of Gamdoor Singh;
 3. Jagtar Singh, aged about 36 years son of Major Singh
- all are residents of village Jajjal, Distt. Bathinda.

..... Applicants/Accused

Versus

State of Punjab.

..... Respondent.

DDR no.17 dated 13.08.2015
Under Sections 323/324/326/452/427/148/149 IPC, P.S Raman
in
FIR no.114 of 12.08.2015 under Sections
307/323/342/148/149/120-B IPC, P.S Raman.

Application for bail Under section 438 of Cr.P.C.

Present: Sh. Sunny Kumar, counsel for applicants/accused.
Ld. Addl. Public Prosecutor for the State.

ORDER

1. Record perused. Arguments have been heard on

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anticipatory bail application U/s 438 Cr.P.C of above referred applicants/accused in the aforesaid FIR.

2. Briefly, the prosecution allegations necessary to be detailed herein for disposal of present anticipatory bail application are that the applicants/accused have been nominated as accused in consequent to DDR no.17 dated 13.08.2015 of the main FIR no.14/12.08.2015 as a cross-version occurrence. The main FIR was got registered at the instance of Jagtar Singh that on 12.08.2015, at about 12.30 pm, he was taken away by the persons of New PGR Trading Company, having their dispute with Gurlab Singh, President of the Truck Union, Raman, whereby he was beaten up by Amritpal, Pala Singh, Jagtar Singh, Nirmal Singh, Dharam Singh and some more unknown persons. As against that, as per the version of Pala Singh, the present DDR was registered as a cross-version occurrence against Gurlab Singh, Jasvir Singh, Jagtar Singh and some unknown persons of beating him for the aforesaid offences as referred here-in-above. Aggrieved therefrom, to the said occurrence pertaining to the year, 2015, the applicants/accused have sought their anticipatory bail.

3. **Having heard to their rival contentions** and gone through the file, one of the victim of present DDR, wherein the present applicants/accused have nominated as accused that namely Amritpal has furnished his affidavit that their dispute arising to the present DDR/FIR has ended into a compromise, which is 8 years old and they are moving for cancellation of FIR. In view this affidavit of

Amritpal Annexure-A and finding the fact that the said cross-version of occurrence pertains to the year, 2015, meaning thereby 8 years old. Moreover in such a cross-version occurrence, the aggressor is yet to be determined during trial and there is no purpose to put the accused behind the bars for an 8 years old occurrence, especially where, there is cross-version occurrence. As such, the applicants are deserving the concession of anticipatory bail.

4. Consequently, the present applicants/accused are hereby directed to surrender before the Investigating/Arresting Officer within 15 working days and on their surrendering they will be admitted on interim bail on furnishing the bail bonds and surety bonds subject to the satisfaction of Investigating/Arresting Officer. Failing to comply this order within prescribed period by the applicants/accused, this order shall stand automatically vacated of interim bail to them. This order of interim bail to the applicants/accused is subject to the compliance of necessary provisions of Section 438 (2) of the Code of Criminal Procedure by them.

5. The present bail application stands disposed of. Police record be also returned. File be consigned to the record room.

Pronounced in open Court.
Dated :18.08.2023

Ranbeer

(Dr Ram Kumar Singla)
Addl. Sessions Judge,
Bathinda.
UID No.– PB0122