

CNR No.
PBBT010008962025



Case No. BA/279/2025

Presented on : 24-01-2025
Registered on : 27-01-2025
Decided on : 30-01-2025

**In the court of Ms.Monika Lamba
Additional Sessions Judge,
Bathinda (UID:PB0244).**

CRN PBBT01-000896-2025.
CIS No.BA-279-2025.
Date of order:30.01.2025.

State	versus	Lakhveer Singh son of Sh. Gian Singh, resident of village Mehta, P.S. Sangat, Tehsil & District Bathinda.
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..... Applicant/ accused.

FIR No.78 dated 3.8.2024.
U/s 127(1), 115(2), 118(1), 3, 5 of BNS, 2023
& Section 117(2), 118(2) of BNS 2023
Police Station Sangat, District Bathinda.

Bail application under section 483 BNSS.

Present: Sh.J.S. Kohli, Advocate for applicant/ accused.
Shri Ram Singh, Addl.Public Prosecutor for the State.

ORDER

- 1) Vide this order, I will dispose of the bail application under Section 483 BNSS filed by accused/ applicant in the FIR No.78 dated 3.8.2024 U/s 127(1), 115(2), 118(1), 3, 5 of BNS, 2023 & Section 117(2), 118(2) of BNS 2023, Police Station Sangat, District Bathinda.
- 2) On filing of the bail application, report of Ahlmad has been called, who has reported that it is the first bail application under Section 483 BNSS 2023.

3) The present FIR has been registered on the statement of Gurtej Singh on the averments that he is doing the labour work and on 31.07.2024, as a routine, he was going to the fields on his motorcycle no. PB-03BB-3382 for getting the fodder for the cattle and at about 6 AM, when he reached near the Old Aged Shelter Home, a white coloured Honda Amaze Car was standing there and out of the said car, four persons alighted who were accused Gurmeet Siungh armed with Axe, Kuldeep Singh armed with Kirpan, Charanjit Singh armed with Gandasa and Lakhveer Singh armed with iron rod and they waylaid the complainant and his motorcycle and then accused Gurmeet Singh raised a lalkara to teach the complainant a lesson for quarreling with them and on this, accused Gurmeet Singh gave a blow with his axe which hit on the right side of his head, then Charanjit Singh gave a blow with his Gandasa which hit on the backside of right shoulder of the complainant, the complainant had fallen on the ground and while he was lying on the ground, accused Lakhveer Singh gave a blow with iron rod which hit on right arm of the complainant and the accused Kuldeep Singh also gave a blow with his kirpan which hit below the knee joint of the left leg of the complainant, then accused Gurmeet Singh gave another blow with his axe which hit on the backside of the right leg of the complainant, the Lakhveer Singh gave another blow with his iron rod which hit a little above of the ankle of left leg of the complainant and the accused persons ran away from the spot with their respective weapons in the aforesaid car and thereafter the complainant was got admitted in the Civil Hospital, Bathinda where he was provided first aid and lateron, he was referred and the brother of the complainant got him admitted in Deol Hospital, Power

House Road, Bathinda and the motive behind the occurrence is that the complainant had earlier a quarrel with Kuldeep Singh etc., and due to the said reason, the accused persons caused injuries to the complainant after hatching a conspiracy with each other.

4) It has been pleaded in the bail application and argued by the Ld. Counsel for the accused that the injuries which are attributed to the accused/applicant are blunt in nature and on the non-vital parts of the body, falling under Section 115(2) of BNS 2023 which is bailable in nature and no offence under Section 117(2), 118(2) of BNS is made out in the present case but the offences under Section 117(2) and 118(2) of BNS have been wrongly got added by the complainant with the connivance of the doctors and the police after inordinate delay of 20 days vide DDR No. 27 dated 23.08.2024. So, he has requested that the accused who is in custody since 23.12.2024 are released on bail.

5) On the other hand, learned Addl. PP for the State requested that serious offences have been levelled against the accused and he should not be granted concession on bail.

6) Arguments heard. Record perused.

7) ASI Jaswinder Singh No.1096/BTI, P.S. Sangat, Bathinda has appeared and submitted a statement that earlier the FIR was registered in this case u/s 127(1), 115(2), 118(3), 3(5) of BNS and thereafter vide DDR No.27 dated 23.08.2024 offence under Section 117(2), 118(2) BNS was enhanced. Accused/applicant Lakhveer Singh is in custody in this case 23.12.2024. Except the present case, no other case is pending against the accused.

8) After considering the material on record and the police file which is brought today, this court has observed that it is evident that the complainant Gurtej Singh has received as many as 6 injuries on his person and all of them have been declared to be grievous in nature. It has been argued by Ld. Counsel for the accused that there is delay of three days in filing of FIR but the delay is duly explained as evident from the police record, the complainant was declared to be unfit during this time, and later on, he was declared fit on 03.08.2024 and thereafter, he got recorded his statement and FIR was registered. This court has observed that there are 4 accused persons in the present case. The remaining accused are to be arrested. They all in furtherance of common intention have caused 6 injuries upon complainant, they are all grievous. The investigation is still going on, and is at crucial stage, which has not yet concluded, so there is every likelihood if the accused is released at this stage, he might tamper with the investigation and try to win over the witnesses of the prosecution.

9) So, at this stage there is no ground for releasing the accused on bail. Hence, the bail application is hereby ***declined***.

10) The observations made by this Court while deciding this bail application are only for the limited purpose of adjudication of the present bail application and, as such, are not to be construed as an expression on the merits of the case (criminal trial). Police record be returned and file of bail application be consigned to record room.

Pronounced:
Dt.30.01.2025.

(Monika Lamba),
Additional Sessions Judge,
Bathinda (UID:PB-0244).

Preety,
Stenographer(Grade-III).

CRN PBBT01-000896-2025.
CIS No.BA-279-2025.

State versus Lakhveer Singh

Present: Sh.J.S. Kohli, Advocate for applicant/ accused.
Shri Ram Singh, Addl.Public Prosecutor for the State.

Arguments heard. Vide separate detailed order of even date,
the bail application stands dismissed. File be consigned to the record
room.

Pronounced: (Monika Lamba),
Dt.30.01.2025. Additional Sessions Judge,
Bathinda (UID:PB-0244).

Preety,
Stenographer(Grade-III).