

**IN THE COURT MS.RANJEET KAUR,
ADDL SESSIONS JUDGE, BALTHINDA
UID NO. PB0137**

CNR No. PBBT-01014762-2023

BA No. 4689-2023

Decided on: 21.12.2023

Anubhav Bansal @ Jony Bansal aged about 40 years son of Sh. Pawan Kumar son of Pirthi Chand, resident of Janta Colony, Rampura PS city Rampura.

... Applicant/accused.

Versus

State of Punjab

FIR No. 229 of 04.12.2023

U/s 353, 186, 355, 323, 148, 149 IPC

Police Station : City Rampura.

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

Present: Sh. KS Sodhi, Adv. counsel for applicant/accused.
Sh. HS Manshahia, Addl. Public Prosecutor for the State.

ORDER:

1. Applicant-accused Abhinav Bansal @ Jony Bansal has filed this bail application under section 438 Cr.P.C in the above noted FIR.
2. Notice of the bail application was issued to the State and record from the concerned police station was called. SI Gobind Singh has produced the record.
3. It is submitted by the applicant-accused that he has been falsely implicated in the present case and he has not committed any alleged offence. There is undue delay in lodging the FIR. No specific overt act has been attributed to the petitioner except that he gave fist blow. No offence u/s 353, 186, 355 IPC is made out. Nothing is to be recovered from the applicant-accused. Though he has not committed, any offence but he apprehends his arrest and detention and the police is conducting

raids at his house. He undertakes to abide by all the terms and conditions to be imposed by the Court, if he is granted the concession of bail.

4. I have considered the contentions and have gone through the file.

5. This is contended to be the first bail application of the applicant-accused. The allegations, as contained in the FIR are that on 01.12.2023, an information was received by the police that Anubhav Bansal is raising construction of his shop on the property in the name of his mother Raj Rani, without prior permission/sanction from the Municipal Council, Rampura. On receipt of the information, Executive Officer of Municipal Committee, Rampura wrote a letter dated 01.12.2023 but the accused refused to receive the said letter. On 02.12.2023 Executive officer directed to stop the construction. Naib Singh, incharge of works Branch alongwith complainant Amandeep Singh and other officials reached at the spot and tried to stop the construction being raised by Anubhav Bansal. It was 07.15 PM, when Anubhav Bansal alongwith his father Pawan Kumar and other unknown persons were present and were told to stop the construction, but they got annoyed and raised lalkara to teach a less to the officials of Municipal Committee. Mukesh Kumar gave blow of Tamba on the head of the complainant with an intention to kill him. Then Mukesh Kumar threw the wooden log upon the complainant and tried to press his neck. Anubhav Bansal also grappled with the complainant and gave fist blow in his abdomen. Amandeep Singh and Hansraj came forward to rescue the complainant, then Mukesh Kumar again picked up the same wooden log and caused injury on the back, right arm and fingers of Hans Raj. All other accused continued giving abuses. Lots of people gathered

there and the accused fled away from the spot. Injured were shifted to Civil Hospital, Rampura.

6. As per the contents of the FIR, the occurrence has taken place on 02.11.2023 whereas the complainant got his statement recorded with the police on 04.11.2023 i.e. after delay of two days, whereas he was alleged to have been admitted in the hospital on the same day. Police record further shows that he was not available in his hospital bed, when the police arrived there on 02.11.2023. Moreover, no written order of the Executive Officer, Municipal Committee, Rampura is placed on record. Without commenting on the merits of the case, I am of the opinion that custodial interrogation of the applicant-accused is not required for any purpose. As such, applicant/accused is directed to join investigation within 10 days from today and on his doing so, investigating officer is directed to release him on bail on his furnishing bail/surety bonds to the in the sum of Rs.50,000/- with one surety in the like amount, subject to the conditions that the applicant/accused shall join the investigation as and when required by the Investigating Officer, he shall not leave the country without prior permission of the Court and the accused/applicant shall not threaten or induce any witness to dissuade him from disclosing the true facts.

7. Now to come upon 05.01.2024 for awaiting the report of IO/investigating agency.

Pronounced in open Court.
Dated: 21.12.2023

manju, SGI

Ranjeet Kaur
Addl. Sessions Judge,
Bathinda/UID No.PB0137