

**IN THE COURT OF JASWINDER SHEEMAR, ADDITIONAL
SESSIONS JUDGE, SANGRUR.
UID No.PB0093**

CNR No. PBSG01-007897-2019

ID No.BA/2563/2019.

Date of Institution: 21.08.2019.

Decided on: 26.08.2019.

State

Versus

Hardeep Singh age 29 years son of Zora Singh son of Lal Singh,
resident of H.No.175, W.No.3-A, Dharampura Mohala, Dhuri.

.....Accused.

FIR No.172 dated 27.06.2019.

**U/s 323/341/325/506/148/149/120-B and 379-B later
added of IPC.**

P.S : Sadar Dhuri.

**Application for releasing the accused Hardeep Singh
son of Zora Singh son of Lal Singh resident of
H.no.175, W.No.3-A, Dharampura Mohala, Dhuri, on
bail till the decision of the case.**

**Present: Sh. Romar Kapoor, Advocate, Counsel for bail-applicant
Mrs. Ravinderpal Kaur, Addl.Public Prosecutor for
State**

ORDER :-

1. This is bail application filed on behalf of **Hardeep Singh**

Jaswinder Sheemar,
ASJ, UID No.PB0093
26.08.2019.

(bail-applicant) in an FIR No.172 dated 27.06.2019, U/s 323/341/325/506/148/149/120-B and 379-B later added of IPC, P.S : Sadar Dhuri.

2. **Notice** of the bail application was issued to the State through learned Additional Public Prosecutor for the State, who appeared and contested the bail application.

3. The **police record** was requisitioned and perused.

4. I have **heard** the learned counsel for bail-applicant, learned Additional Public Prosecutor for the State and gone through the file carefully and minutely with their kind assistance.

5 From the record, it is observed that the police machinery was put into motion by Rupinderjit Singh (complainant) on 27.06.2019, relating to occurrence having taken place on 24.06.2019, against as many as five unknown persons, having intercepted his way by riding a car when complainant was going on motor-cycle to fetch his wife Jaswinder Kaur from village Meemsa, where she is running a boutique. Out of that car, four young boys alighted, out of whom, two were armed with iron rod and two armed with iron pipes and one person was sitting on rear seat of the car. Those persons stated to have raised 'lalkara' to the complainant that today he is all alone, therefore, be done to death and two unknown persons, who were armed with iron rods, inflicted rod blows on right knee and left ankle of complainant, due to which, complainant screamed and they all proclaimed

that now complainant is screaming, whereas, at the time of panchayat election, complainant and his family had exercised franchise against their candidate. The unknown persons, who were armed with iron rod, had given iron rod blow on right elbow, second iron rod blow gave on the left elbow, right thigh, right finger and they all fled away from the spot.

6. Therefore, it is evident that the complainant had initially not nominated the accused by name, however, on 28.06.2019, he suffered supplementary statement that at the time of suffering his initial statement to the police, since he was perplexed and had undergone operation, therefore, he could not mention certain facts, that the car used was bearing registration no.PB-13V-2401, make I-20 instead of no.2001 and furthermore, when he started his voyage, two unknown persons while on motor-cycle bearing no. PB-59B-1775 were going ahead of him and at their instance, they got the motor-cycle of the complainant intercepted by way of car, in which, 5 other persons were sitting and when they all were giving beatings to the complainant, at that point of time, they removed wallet from rear pocket, which was containing voter card, PAN card, currency notes to the tune of Rs.2500/-, mobile etc. along-with gold ring, and the persons, who had inflicted injuries to the complainant, were namely Raj Kumar alias Raju, Mandeep Singh Dhindsa, as they were noticed by the complainant sitting at the motor of one Malkit Singh and the complainant is sure that he has been beaten at the instance of said Malkit Singh by giving 'supari'.

7. Furthermore, from the record, it further comes out to surface that since Hakam Singh, ex-sarpanch and Malkit Singh, panch of village had attracted to the spot and the assailants on noticing their appearance, as such, on 10.07.2019, they had gone to Hakam Singh, ex-sarpanch and Malkit Singh, panch, before whom, the assailants Mandeep Singh and Raj Kumar had confessed their guilt that they along-with 7/8 persons namely **Hardeep Singh (bail-applicant)** Balraj Singh, Gagandeep Singh alias Roshi, Lakhwinder Singh alias Sappy, Dalvir Singh alias Dara (co-accused), at the instance of Malkit Singh, had given beatings to the complainant and compromise be effected with aggrieved and they will bear expenses on this account.

8. From the material on record, it comes out to surface that no doubt, incident took place on 24.06.2019 and the matter was reported by the complainant to the police on 27.06.2019 i.e. after three days, wherein, the complainant had not nominated any accused rather got lodged FIR against unknown person and thereafter on 28.06.2019 by way of suffering supplementary statement, he got recorded the names of accused. No doubt, the anticipatory bail application filed on behalf of Dalvir Singh had been dismissed by the undersigned vide order dated 06.08.2019, yet, the bail-applicant involved in the present bail application has sought regular bail. The offences are almost bailable in nature except the offence U/s 379-B IPC, which was added later on. There is no specific attribution of injuries to the

bail-applicant. The bail-applicant is in custody since 12.07.2019, therefore, his custody is not required any more for any purpose. The presentation of challan and thereafter conclusion of trial is going to take indefinite time, as such, I deem it proper to allow the bail application filed by the bail-applicant. Accordingly, the bail application filed on behalf of bail-applicant is **allowed**. **The bail applicant is ordered to be released on bail on furnishing bail bonds and surety bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of learned Illaqa/Duty Magistrate.** Police record be returned. The bail application is ordered to be consigned to record room.

The observation made by the undersigned in the order, will have no bearing on the merits of the case.

The observation made by the undersigned in the order, will have no bearing on the merits of the case.

Announced
Dt.26.08.2019.

Jaswinder Sheemar
Additional Sessions Judge,
Sangrur UID No.PB0093

Veena Saluja,
Stenographer Gr.I

Certified that the order has been directly dictated by the undersigned.

Dt. 26.08.2019.

Jaswinder Sheemar
Additional Sessions Judge,
Sangrur UID No.PB0093