

- 1) Kulwinder Kaur Versus State of Punjab; (BA No.1076/2021)
- 2) Harwinder Singh etc. Versus State of Punjab (BA No.1077/2021)
FIR No.19/2021 of P.S.Kacha Pacca.
Under Section 323/326/452/148/149/506 of IPC.

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Present: Shri K.S.Bath, Advocate for the accused-applicants.  
APP for the State.

Under consideration by means of this common order, are two separate applications under Section 438 Cr.P.C, the first one by accused-applicant Kulwinder Kaur and the second by accused-applicants Harwinder Singh, Lovepreet Singh and Kawaldeep Singh alias Kawaljit Singh whereby all these accused-applicants have come up with a prayer for the concession of anticipatory bail in respect of above captioned FIR with the submissions that they are quite innocent and the case is based upon false and concocted story.

Notice of the bail applications was issued to the State in response where to records of case have been produced before me by the investigating agency. Besides perusal of such records, I have also heard the learned counsel for accused-applicants and the learned APP for the State.

As per records, the FIR in this case is projected to be an outcome of some occurrence which is claimed to have taken place on 28.3.2021 at about 7:00 p.m. at the shop of the complainant during the course whereof the accused-applicant Kulwinder Kaur gave a blow with small sword which hit the complainant on the thumb of his right hand. The role attributed to accused-applicant Harwinder Singh is also to the effect that he was armed with a Kirpan and using reverse side of such Kirpan he also caused simple hurt on the person of the complainant. Remaining two accused-applicants Lovepreet Singh and Kawaldeep Singh are claimed to be empty handed and were just accomplices of the assailant accused. However, what is worth noting is that while according to the complainant, he was sitting in his house on the first floor of his shop, the occurrence is claimed to have taken place after the accused entered his shop and caused injuries on his person.

Considering the fact that two of the accused-applicants were simply the accomplices of co-accused without there being any overt act having been attributed to them, and the remaining two accused have been attributed only simple hurts constituting the offence under Sec.323 IPC while the injury constituting the offence punishable under Sec.326 IPC has

specifically been attributed to co-accused Kiran Bala, and further considering the above noted variation in the version of the complainant that he was sitting in his house while occurrence is projected to have taken place in his shop, but at this stage without commenting anything on the merits of the case, I hereby direct the accused-applicants to join investigation within a period of seven days from today and in the event of their doing so, they shall be admitted to interim bail to the satisfaction of the investigating/arresting officer. A copy of this order be placed on the file of connected bail application.

For further proceedings and to ensure compliance with this order by the accused-applicants, the bail applications are adjourned to 17.5.2021.

Pronounced:  
06.5.2021.

(Charanjeet Arora)  
Addl.Sessions judge, Tarn Taran.  
(UID No.PB0178)