

CNR No.PBSAA1-000782-2024

CIS No.BA-110-2024

Aditya Dahiya Vs. State

FIR No.319 dated 01.11.2023
U/s 323, 341, 506, 148, 149, 308 of IPC.
P.S. City Kharar.

Present: Sh.Vivek Sandhu Adv., counsel for the accused/applicant
Aditya Dahiya
Ld. APP for the State.

Second bail application presented today. It be registered. Notice to Ld. APP for the State be issued for the time being.

Reply to the bail application filed by prosecution.

Heard on the bail application filed by applicant/accused Aditya Dahiya in which it is asserted that in this case accused has been booked for the commission of offences punishable under Sections 323, 341, 506, 148, 149, 308 of IPC. He was arrested in this case on 28.02.2024 and since then he is in judicial lock up.

Applicant/accused earlier presented the bail application under Section 323, 341, 506, 148, 149 of IPC on dated 06.03.2024 which was allowed on dated 14.03.2024. He moved said application without adding Section 308 of IPC which was lateron added by the investigating agency in this case. It is prayed that he be released on bail for commission of alleged offence punishable under Section 308 of IPC.

Learned counsel for applicant/accused argued on the lines of contention of application and has stated that the court has discretionary powers to grant the bail for alleged offence punishable under Section 308 of IPC. So, using its discretion the accused be released on bail.

On the other hand learned APP for the State argued that if applicant/accused is released on bail, he may affect the investigation of the

case. As such, it is prayed that bail application be dismissed.

Perusal of first bail application shows that accused Aditya Dahiya filed an application for granting bail on dated 06.03.2024 under Section 323, 341, 506, 148, 149 of IPC and same was allowed by the undersigned on dated 14.03.2024.

From perusal of the record, it transpires that applicant/accused Aditya Dahiya was initially nominated as accused in this case by the police on 28.02.2024 for the commission of offence punishable under Section 323, 341, 506, 148, 149 of IPC and investigating agency added Section 308 of IPC lateron. Offence punishable under Section 308 of IPC is heinous and grave in nature and is exclusively triable by Learned Sessions Courts.

So, I am of the considered opinion that no ground is made out for granting of concession of bail to the applicant/accused Aditya Dahiya. Therefore, the bail application of the applicant/accused Aditya Dahiya is hereby dismissed.

However, this order of mine shall have no bearing on the merits of this case.

Pronounced
Dated:15.03.2024

Neha
Stenographer Gr.II

(Geeta Rani) PCS
Judicial Magistrate Ist Class
Kharar
UID No.PB0434