

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

CNR No. PBBT-01003651-2024

BA No. 1102-2024

Decided on: 05.04.2024

State

Versus

Maan @ Balvir Singh @ Kalu aged about 25 years son of Balwinder Singh resident of village Burj Rathi, District Mansa (now confined in Central Jail, Bathinda).

... Applicant/accused.

FIR No. 153 of 06.09.2023

U/s 326, 324, 323, 148, 149 IPC

Police Station : Sadar, Bathinda.

Application for bail Under section 439 of Cr.P.C.

Present: Sh. Tek Singh Maan, Adv. counsel for applicant/accused.
Sh. Aseem Goyal, Public Prosecutor for the State.

ORDER:

1. Applicant-accused Maan @ Balvir Singh @ Kalu, has filed this bail application under section 439 Cr.P.C in the above noted FIR.
2. It is submitted in the application that applicant-accused has been falsely implicated in the present case and he has not committed the alleged offence. Initially the case was registered u/s 324, 323, 148, 149 IPC but lateron complainant managed to enhance offence under section 326 IPC. The applicant-accused was arrested on 21.02.2024 and since then he is custody. Nothing is to be recovered from him. Presentation of challan and conclusion of trial shall take

time. Applicant-accused undertake to attend the Court on each and every date.

3. Upon notice, Ld.Public Prosecutor contested the bail application. HC Bikkar Singh 361 produced the record.

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

5. This is contended to the first bail application on behalf of the applicant-accused. FIR in the present matter was got recorded on the statement of complainant Dharminder Singh wherein he stated that he is studying in Malwa College, Bathinda in BA-III and has been elected as President unanimously. On 04.09.2023 he was sticking posters on the walls of Regional Poly Technical College, Behman Dewana regarding his Presidentship. In the meantime, some boys whose names were Rittan Namberdar armed with baseball bat, Harman armed with kirpan and Mann Burj Rathi (applicant-accused) armed with baseball bat, came there and mounted an attack on him, as they were not happy on his being elected as President.

6. From the version of the complainant, it is clear that the occurrence is stated to be of 04.09.2023. Offence u/s 326 IPC was enhanced at a later stage and the applicant-accused is in custody since 21.02.2024. The injury attributed to the applicant-accused is a blow of baseball at the back of complainant which injury is simple in nature. Presentation of challan and completion of trial is likely to take some reasonable time. Nothing is to be recovered from the

applicant-accused and keeping him behind bars for indefinite period is not justified. The applicant-accused undertake to abide by the terms and conditions to be imposed by the Court, if he is released on bail. Therefore, the present bail application filed by the applicant-accused is hereby allowed and he is ordered to be released on bail on furnishing personal bonds in sum of Rs.25,000/- with one surety in the like amount to the satisfaction of Ld.Illaqa Magistrate/duty Magistrate subject to following conditions:

1. that the applicant/accused shall appear in the Court on each and every date of hearing,
2. that the applicant/accused shall not leave the country without prior permission of the Court,
3. that the applicant/accused shall not threaten or induce any witness to dissuade him from disclosing the true facts.

File be consigned to the Judicial Record room, Bathinda.

Pronounced in open Court.
Dated: 05.04.2024

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