

**IN THE COURT OF SHRI VIKRANT KUMAR,
ADDITIONAL SESSIONS JUDGE,
MOGA (UID No.PB00169).**

CNR No.PBMO010026672021

CIS Filing No.BA/1100/2021.

Date of order : 18.06.2021.

State Versus Gurbhej Singh son of Sukhwinder Singh,
resident of Village Kot Sadar Khan, District
Moga.

----Applicant-accused

FIR No.19 dated 19.02.2021.

Under Sections : 323,324,34 IPC.

(Lateron added Section 326 IPC)

Police Station : Kot Ise Khan.

Bail Application under Section 438 Cr.P.C

Present :- Shri Ravinder Singh, Advocate for applicant-accused Gurbhej
Singh.

Shri Anshuman Syal, Additional Public Prosecutor for State.

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ORDER

The brief facts of the case, which require consideration for disposal of the present bail application are that present FIR has been lodged on the basis of statement of Mandeep Singh son of Bohar Singh that on 18.02.2021 at about 10.00 a.m., he and his brother Kuldeep Singh were trying to make understand their sister-in-law Gurwinder Kaur as to why she is allowing Jagjit Singh @ Jaggu to visit her house. In the meantime, his nephew applicant-accused Gurbhej Singh armed with dang came at the spot and started causing injuries on his person with the help of dang. Accused Jagjit Singh @ Jaggu armed with iron kapa also reached at the spot and started giving kapa blows hitting on the backside of his head, back and right hand. He raised alarm. His wife, his brother Kuldeep Singh and sister-in-law Manpreet Kaur rescued him from the clutches of

assailants and got him admitted in Civil Hospital, Moga. On the above said statement, accused-applicant was nominated in this case. Now, apprehending his arrest, the accused/applicant has filed the present bail application.

2. I have heard the learned counsel for the applicant as well as learned Additional Public Prosecutor for the State.

3. Undisputedly, FIR is by name against accused/applicant. He has given kapa blows on the backside of head, back and right hand of complainant. Accused/applicant was not arrested at the spot. Earlier FIR was lodged under Section 323,324 read with Section 34 IPC. Lateron, Section 326 IPC was added after getting the report from Radiologist. A cross-case has been registered against Mandeep Singh son of Bohar Singh, Kuldeep Singh son of Bohar Singh, Bohar Singh, aunt Simarjit Kaur and Manpreet Kaur wife of Kuldeep Singh under Sections 452,323,506,148,149 IPC on the statement of Manpreet Kaur daughter of Sukhwinder Singh. Co-accused Jagjit Singh has already been granted concession of pre-arrest bail by the court of Shri Atul Kasana, learned Additional Sessions Judge, Moga. It has been stated that with the intervention of panchayat, compromise has been effected between the parties and copy of writing dated 19.03.2021 regarding compromise has been produced on the record. In the considered opinion of this court, presence of the accused/applicant is required in this case to complete investigation, therefore, no useful purpose would be served by declining pre-arrest bail to them, particularly when he can be directed to join the investigation. Resultantly, the accused/applicant is directed to join investigation by presenting himself before Investigating officer and in the event of his arrest, he be released on interim bail on furnishing bail bonds to the satisfaction of Investigating /Arresting Officer.

Now to come up on 1.07.2021, for awaiting the outcome of

investigation. File be put-up before learned Sessions Judge, Moga for entrustment purposes.

Pronounced.

Dated :- 18.06.2021.

Jagjit Singh Panesar, Stenographer-I

(Vikrant Kumar)
Additional Sessions Judge
-cum-Vacation Judge,
Moga (UID No.PB00213).