

**IN THE COURT OF SHRI VIKRANT KUMAR,
ADDITIONAL SESSIONS JUDGE,
MOGA (UID No.PB00213)(Duty).**

CNR No.PBMO010027152021

CIS Filing No.BA/1130/2021.

Date of order : 18.06.2021.

State Versus Lehri Singh @ Mantar Singh son of Jaswinder Singh, resident of Village Sukhanwala, District Moga.

----Applicant-accused

FIR No.37 dated 22.05.2021.

Under Sections :- 307,379-B,186,353,332,427,
148,149 IPC.

Police Station : Smalsar.

Bail Application under Section 438 Cr.P.C.

Present :- Shri Anshuman Syal, Additional Public Prosecutor for State.
Shri Dinesh Kumar Garg, Advocate for applicant-accused
Lehri Singh @ Mantar Singh.

ORDER

1. File put-up before me today being Vacation Judge during summer vacations.
2. 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 statement of ASI Raj Singh that on 22.05.2021, one complaint moved by Gurwinder Singh @ Gora son of Milka Singh against Satnam Singh son of Gurdev Singh alleging that said Satnam Singh along with 15-18 persons armed with kahi, baseball and other deadly weapons is attacking him, has been entrusted to him. At this, he proceeded towards the spot, where Baba Gurpreet Singh Gora, who was residing in the house of Satnam Singh, along with 15-18 persons along with deadly weapons were standing in front of his house. He and PHG

Tarsem Singh tried to stop them from quarreling, but above said persons started opposing them. Satnam Singh son of Gurdev Singh, Hardeep Singh son of Veer Singh, Arshdeep Singh son of Bohar Singh, Bindarpal Singh son of Nachhattar Singh @ Massa, Amandeep Kaur along with Robin, Romi, Sunny Sahota, Manpreet Singh, Gurwinder Singh, Jiwan Singh, applicant-accused Lehri Singh and 4-5 unknown boys became angry. Accused Satnam Singh in order to kill ASI Raj Singh gave kahi blow on his head. Accused Robin, Romi etc. manhandled him and torn his uniform and assaulted him with baseball, sticks etc. PHG Tarsem Singh came to his rescue, but he was also given injuries and his mobile phone was snatched by them. They also gave many hidden injuries. Ram Singh son of Nirmal Singh rescued them and all the assailants along with their respective weapons fled away from the spot while damaging his Ritz car bearing No.PB-76/1700. They were got admitted in Civil Hospital, Moga, where they are undergoing treatment.

3. Learned Counsel for the accused-applicant argued that accused-applicant was innocent and a false case was registered upon him. He argued that no such offence was committed by the accused-applicant. It was prayed that the accused-applicant may be granted anticipatory bail.

4. On the other hand, Learned Additional Public Prosecutor hotly contested the bail application while submitting that custodial interrogation of applicant is required. He has submitted that allegations against accused are serious in nature. There is a injury on the head of complainant namely ASI Raj Singh. Thus, in view of the gravity and seriousness of offence, no ground is made-out to grant pre-arrest bail to accused person and prayed for dismissal of pre-arrest bail.

5. I have heard the learned counsel for the applicant as well as learned Additional Public Prosecutor for the State and perused the record.

6. Undisputedly, FIR is by name against applicant-accused. Applicant-accused along with co-accused was member of unlawful

assembly, and members were armed with kahi and baseball, used criminal force to deter ASI Raj Singh, a public servant from discharging his duty, caused injuries on the person of complainant ASI Raj Singh with intention to kill him and also snatched mobile phone of PHG Tarsem Singh. If anticipatory bail is granted to applicant-accused, it will give wrong impression in the mind of general public. In the present case, a Police Officer of the area has been injured for preventing the crowd from quarreling. Said incident has created a panic in the area and is also a threat to maintenance of law and order. In case, concession of anticipatory bail is granted to applicant-accused, it will adversely affect the investigation, which is uncalled for. Heinous offences stand committed. Thus, custodial interrogation of applicant-accused is necessary in order to enable investigating agency to complete investigation of this case. So, considering the entire gamut of fact and necessity of custodial interrogation, present pre-arrest bail application being devoid of merit and stands dismissed.

Pronounced.
Dated :- 18.06.2021.
Jagjit Singh Panesar, Stenographer-I

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