

**IN THE COURT OF SHRI LALIT KUMAR SINGLA,
ADDL. SESSIONS JUDGE,
BATHINDA (UID: PB-0104).**

CRN. No.PBBT01-001102-2018.

CIS No.BA-390 of 2018.

Date of order:05.03.2018.

State of Punjab versus Veeru Khan s/o Ajay Khan r/o Sai Nagar,
Bathinda, now confined in Central Jail,
Bathinda.

..... Accused

FIR No.15 of 30.01.2018.

Under Sections: 379-B, 411, 325, 34 IPC

Police Station: GRP (Bathinda),

1.

Bail application Under Section 439 Cr.P.C.

Present: Shri J.S.Tungwali, counsel for applicant/ accused.
 Shri Daljit Sharma, Addl. P.P. for the State.

ORDER

1. This order of mine shall dispose of first regular bail application under Section 439 Cr.P.C.brought on behalf of applicant/ accused, in the above noted case.

2. Notice of the bail application was given to Addl. PP for the State, who has opposed bail application. Police record perused.

3. A supplement bail application under Section 325 IPC has been brought by applicant/accused. Notice of the same has been given to learned Addl.PP for the State.

4. Concisely stated, as per the story of prosecution, on 21.1.2018, complainant Swaranjit Singh was crossing the railway line below the bridge located at Bathinda-Dabwali road after performing his duty at Verka Milk Plant, Bathinda from 8.00 a.m. To

8.00 p.m. In the meantime, Harjinder Singh @ Pendu, Azad Singh and Veeru Khan on a motorcycle bearing No.PB-03AN-2474 intercepted the complainant Swaranjit Singh. Pendu called upon Azad Singh to catch hold of complainant Swaranjit Singh. Thereafter, Harjinder Singh @ Pendu gave an iron rod blow on the head of complainant Swaranjit Singh and gave three more consecutive blows on the head of complainant Swaranjit Singh. Azad removed the purse of complainant containing 700/800 rupees and Adhar Card alongwith mobile phone make Lawa. Thereafter, complainant Swaranjit Singh fell unconscious.

5. Learned counsel for the applicant/ accused has vehemently contended that the applicant/ accused has been falsely implicated in the alleged crime merely on the basis of suspicion. Applicant/ accused has nothing to do with the alleged crime, so accused, who is lingering in custody since 31.1.2018, may be released on bail.

6. On the contrary, learned Addl. PP for State prayed for the dismissal of bail application, keeping in view of the gravity of the crime.

7. Having considered the arguments of both the sides in the light of the record available on file, I have found that as per the allegations, accused Harjinder Singh @ Pendu gave multiple blows upon the head of complainant Swaranjit Singh with iron rod and the

main injury on the head of complainant Swaranjit Singh has been declared as grievous in nature within the meaning of Section 325 IPC as per DDR No.23 dated 1.3.2018. The alleged offence u/s 325 IPC is bailable. The alleged snatched mobile phone of complainant has been recovered from accused Azad Singh @ Chinki. No other overt act has been attributed to accused Veeru Khan. The implication of accused in alleged crime is yet to be ascertained on record during the course of investigation. Accused is lingering in custody since 31.1.2018. It will take time in conclusion of investigation. No useful purpose will be served by detaining the applicant/accused behind bars any more.

8. So, without commenting upon the merits of main case, applicant/ accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of Illaqa/ Duty Magistrate subject to conditions that he shall appear on each and every date of hearing; he shall not leave the country without prior permission of the Court and he shall not induce the prosecution witnesses. He shall surrender his passport in the Court. If he does not possess any passport, then an affidavit in this respect be also furnished by applicant/accused. Copy of this order be sent to Illaqa/Duty Magistrate for compliance. Record of bail application be consigned to Judicial Record Room.

Pronounced in Open Court:
Dated:05.03.2018

(Lalit Kumar Singla)
Addl. Sessions Judge,
Bathinda (UID: PB0104).

Kulwinder Singh,
Stenographer (Grade-II).

State vs. Veeru Khan

Present: Shri J.S.Tungwali, Advocate, counsel for applicant/
accused.
Shri Daljit Sharma, Addl. P.P. for the State.

Arguments heard. Vide separate detailed order of even date,
the bail application has been allowed. Record of bail application be
consigned to Judicial Record Room.

Pronounced in Open Court:
Dated:05.03.2018

(Lalit Kumar Singla)
Addl. Sessions Judge,
Bathinda (UID: PB0104).

Kulwinder Singh,
Stenographer (Grade-II).