

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

CNR No.PBMO010011162020

CIS Filing No.BA/393/2020.

Date of order : 4.03.2020.

State Vs. 1. Pala Singh son of Bhajan Singh,
2. Gurpreet Singh son of Pala Singh,
3. Harpreet Singh son of Pala Singh
all residents of Village Daulewala, Tehsil
Dharamkot, District Moga

----Applicants-accused.

FIR No.4 dated 11.01.2019,
Under Sections :
307,332,353,186,323,224,148,
149 of IPC
Police Station : Kot Ise Khan.

Bail Application under Section 439 Cr.P.C.

Present:- Shri Chamkaur Singh Brar, Advocate for applicants-accused
Shri Kuldeep Sahni, Additional Public Prosecutor for State

ORDER

1. This order will dispose of bail application filed by Pala Singh and his sons Gurreet Singh and Harpreet Singh under Section 439 Cr.P.C. seeking regular bail in case FIR No.4 dated 11.01.2019 under Sections 307,332,353,186,323,224,148,149 of IPC registered at Police Station Kot Ise Khan.

2. Notice of the bail application has been issued to learned Additional Public Prosecutor who appeared and contested bail application

3. I have heard Learned counsel for applicants as well as learned Additional Public Prosecutor and have gone through the record.

4. Present FIR had been got lodged by ASI Beasnt Singh, Incharge Police Post Daulewala that informer had given a secret information that Kuldeep Singh @ Gainda and Raj Kumar @ Raju @ Lambu (proclaimed offenders) are sitting in the house of Kuldeep Singh @ aind. In case raid is conducted then both proclaimed offenders can be apprehended. Accordingly police party consisting of C.Jaskaran Singh, ASI Balwinder Singh, C.Harinder Singh, ASI Balkar Singh HC Charanjit Singh and HG Gurmukh Singh raided the house at 7.00 p.m. and entered into the house. Kuldeep Singh @ Gainda and Raj Kumar @ Raju @ Lambu were sitting in the family and were talking with each other. They were earlier known to complainant and C.Jaskaran Singh. On spotting police party they started abusing police party and raised alarm. Complainant told Kuldeep Singh @ Gainda and Raj Kumar @ Raju @ Lambu that they had been declared proclaimed offenders by the court and are to be arrested. These accused resisted apprehension and started throwing the brick-bats. Virsa Singh @ Gainda, Parkash Kaur, Gurdeep Kaur and Gurmail Kaur started scuffling with police party. Complainant made every effort to make them understand. But accused made attempt to drag C.Jaskaran Singh inside after holding him from his uniform thereby soulder was torn. Accused raising alarm in loud voice called their neighborer applicant-accused Pala Singh by name to come along with his three sons to save them from the custody of police party. It led 15/16 unidentified persons armed with sticks and gandasas to come inside the

house of Kuldeep Singh and attack police party. ASI Balkar Singh, HC Charanjit Singh and C.Jaskaran Singh suffered injuries. These persons took away both proclaimed offenders from the custody of police. Police party fired in the air to save themselves. Accused run away from the spot abusing police party. Name of applicant-accused No.1 find mention in the FIR. Applicants-accused No.2 and 3 are sons of applicant-accused No.1. During interrogation Kuldeep Singh @ Gaimda has also named applicants-accused being the persons involved in the presence occurrence. DDR No.11 dated 12.01.2019 accordingly has been lodged. A heinous offence has been committed. Applicants-accused in connivance with other accused not only assaulted and injured police party but had taken away the proclaimed offenders from the custody of police. Investigating officer has rightly argued that custodial interrogation of applicants-accused is necessary in order to ascertain whereabouts of other accused. Incident in question to have created environment of fear in the area and threatened maintenance of law and order by police official. So considering the heinousness of offence and mode and manner in which present incident has taken place, present bail application loses merit and same stands dismissed. File be consigned to record room.

Pronounced.
04.03.2020.
Jagjit Singh Panesar, Stenographer-II

(Jagdeep Sood)
Additional Sessions Judge,
Moga (UID No.PB00169).