

Jaswinder Singh Vs State (BA No.747 of 11/12/2019)

FIR No. 64 Dated 02/11/2019
 U/Ss 326, 325, 324, 323, 34 IPC
 Police Station Ghuman Kalan.

Present: Shri R.S.Goraya, Advocate, counsel for petitioner.
 Shri K.S.Gill, Additional P.P for State.
 Sh.Baljinder Singh Bangowani, Adv, counsel for complainant.

Today, Sh.Baljinder Singh Bangowani, Advocate filed power of attorney on behalf of complainant. Police record produced. Present FIR was got registered by Pargat Singh with the allegations that on 29/10/2019, a bull of Jaswinder Singh came inside their haveli and started hitting his cattle. He turned out the bull from his haveli and his mother also made complaint in this regard to Jaswinder Singh. Thereafter, at about 2/2.30 PM, Harjinder Kaur armed with dang, Jaswinder Singh armed with wooden log, Balwinder Singh alias Minta armed with Kirpan and Gurpreet Kaur armed with dang came near his haveli and Gurpreet Kaur raised Lalkara to catch hold complainant and teach a lesson to them for making complaint to them, on which, Harjinder Singh gave dang blow which hit above his right eye, Jaswinder Singh gave blow of wooden log which hit at the back of his neck. He fell down and Gurpreet Kaur gave dang blow, which hit near his right knee. Complainant raised alarm 'Maar Ditta, Maar Ditta' on which, when her mother Satnam Kaur came ahead to save him, the above assailants caused injuries to her also. In the meantime, Randhir Singh and Swinder Singh reached the spot and all the accused ran away from the spot alongwith their respective weapons.

2. It is submitted by learned Counsel for the petitioner that the petitioner has been falsely implicated in this case. There is unexplained

delay of four days in lodging the FIR. The petitioner is ready to join investigation and to cooperate in the same, so till the disposal of present bail application, he may be admitted to interim bail.

3. On the other hand, it is submitted by learned Addl.P.P assisted by Sh.Baljinder Singh Bangowani, Advocate, counsel for complainant that the allegations against the petitioner are serious in nature and his custodial interrogation is required for recovery of weapon of offence and for further investigation of present FIR, as such, the present bail application may be dismissed.

4. I have considered the rival contentions of learned counsel for petitioner as well as of learned Addl.P.P. assisted by Sh.Baljinder Singh Bangowani, Advocate, counsel for complainant and perused the record.

5. The injury qua which offence under section 326 IPC is added in the FIR is not attributed to the petitioner. Keeping in view above facts and circumstances, petitioner is directed to join investigation on **17/12/2019** at 10:00 AM. In the event of his arrest, he shall be admitted to interim bail by the Investigating Officer on his furnishing bonds in the sum of Rs. 30,000/- with one surety in the like amount and subject to the fulfillment of the provisions of Section 438 (2) Cr.P.C. Now police record be produced on **18/12/2019** for arguments.

Pronounced in open court.
Dt: 13/12/2019
Rajiv Sharma, Stenographer-I

(Jaswinder Singh)
Addl.Sessions Judge,
Gurdaspur.UID No.PB0516

