

In the court of Sh. Kewal Krishan, Addl. Sessions Judge, Patiala.

Case Type	Bail Application
Date of Institution	07.06.2021
Date of registration	07.06.2021
CIS No.	BA/1893/2021
CNR No.	PBPT010058292021
Date of Decision	22.06.2021

Om Parkash aged about 41 years son of Sh. Sitra Ram, resident of House No.119, Sunder Nagar, Patiala.

....Applicant-accused

Versus

State of Punjab

.... Respondent

FIR No.255 dated 14.10.2020

Under Sections 324, 323, 341, 148, 149 IPC

Later on offence under Sections 325 & 326 IPC was added.

Police Station: Kotwali, Patiala

Application under Section 439 of the Code of Criminal Procedure.

Present:

Sh. Ravinder Singh Advocate Learned Counsel for the applicant-accused.

Sh. R.S. Ghuman Learned Addl. Public Prosecutor for the State with ASI Nachattar Singh.

Order :

1. File put up before me being Duty Judge as learned Presiding Officer is availing the summer vacations. The accused/applicant has filed the instant application under Section 439 of the Code of Criminal Procedure.

2. Arguments are heard. Learned counsel for the applicant has argued that the applicant is innocent and he has been falsely implicated in this case. He is in custody since 17.2.2021. Alleged recovery has already been effected from the applicant. Co-accused Gopal Arora has already been granted regular bail by this court. Conclusion of trial will take long time and no useful purpose would be served by detaining them any more in custody. The applicant undertakes to abide by the conditions, if imposed by this Court and they may kindly be granted concession of bail.
3. On the other hand, learned Learned Addl. Public Prosecutor has argued that the applicant has committed offence punishable under Sections 324, 323, 341, 148, 149 IPC and later on offence under Sections 325 & 326 IPC was enhanced. The applicant is not entitled to get concession of bail.
4. This Court has heard the learned counsel for the applicant, Learned Addl. Public Prosecutor for the State and has gone through the record carefully. This FIR was registered at the instance of Abdul Rehman son of Shri Meharban. As per medical record, eight injuries were found on the person Abdul Rehman. Injury No.4 was of sharp edged weapon, whereas others injuries were of blunt weapon. Injuries No.2 and 4 were subsequently declared grievous in nature. The applicant is in custody since 17.2.2021. Co-accused Gopal Arora has already been granted bail. Challan has already been presented in this case. Conclusion of trial will take sufficient time and no useful purpose

would be served by detaining him in custody. In these circumstances, this Court is of the considered view that the applicant is entitled to get concession of bail. Therefore, his application is allowed and he is ordered to be released from custody on furnishing his personal bail bond in the sum of Rs.50,000/- (Fifty thousand) with one surety in the like amount to the satisfaction of Learned Illaqa Judicial Magistrate/Duty Magistrate subject to the following conditions:-

(1) That the applicant shall not leave the country without the prior permission of the Court;

(2) That the applicant shall make himself available for interrogation by a Investigating Officer as and when required;

(3) That the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(4) That the applicant shall regularly attend the hearings before the trial Court.

5. Record of trial court along with copy of this order be returned. This bail application was registered in the learned court of Shri Rajvinder Singh, Addl. Sessions Judge, Patiala. File of this bail application be sent to said learned court for consignment.

Pronounced in open Court,
On 22.06.2021

(Kewal Krishan)
Addl. Sessions Judge, (Duty)
Patiala
(UID No.PB0182)

Narinder Sharma, Stenographer-I.