

In the court of Muneesh Arora, Addl. Sessions Judge, Patiala.

CIS No.	BA-1852-2022
CNR No.	PBPT 010058412022
Date of order	6.7.2022

1.Mangat Singh aged about 59 years son of Sh. Sucha Singh,
2.Gurpreet Kaur aged about 55 years wife Mangat Singh,
3. Manjit Singh aged about 35 years son of Mangat Singh,
4. Sammi Kaur aged about 23 years D/O Harpal Singh,
5. Ranjit Kaur aged about 42 years wife of Harpal Singh,
6. Hardeep Singh aged about 29 years son of Jagtar Singh, resident of
Ward No.5, Tohana Road, near Ravidass Mandir, Moonak District
Sangrur.

...Applicants-accused

Versus

State of Punjab,

...Respondent

FIR No.411 dated 24.5.2022
Under Sections 452, 506, 323, 148, 149IPC,
Police Station: Patran, District Patiala.

First application under Section 438 of the Code of Criminal Procedure.

Present: Sh. M.S. Dhillon Adv. Counsel for applicants-accused.
Ms. Neena Sidhu Learned Public Prosecutor for the State
along with ASI Sukhjinder Singh.

Order:

1. Apprehending their arrest, the applicants have filed the instant application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail. ASI Sukhjinder Singh has produced the record of investigation and he has also made statement that no bail application of the applicants regarding the present FIR is pending in Hon'ble High Court.

2. Arguments are heard. Learned counsel for the applicants has argued that the applicants are innocent and have been falsely implicated in this case at the instance of the complainant. Learned counsel for the applicants further argued that even otherwise the applicants have arrived at compromise with the complainant. The applicants have apprehension of their arrest for non-bailable offence as the police is raiding their residence. Their custodial interrogation is not required and they are ready to join the investigation. They will not make any kind of threat or inducement to any person, who is acquainted with facts of the case. Nothing is to be recovered from them. Thus, the applicants may kindly be granted concession of pre-arrest bail.
3. On the other hand, Learned Public Prosecutor for the State hotly contested the application and argued that the applicants have committed offence punishable under Sections 452, 323, 506, 148, 149 IPC,. In view of the nature and gravity of offence, custodial interrogation of the applicants is required and they are not entitled to concession of anticipatory bail.
4. This Court has heard the learned counsel for the applicant, Ld. Public Prosecutor for the State and has gone through the record carefully. As per prosecution version, on 17.11.2021 when the son of the complainant namely Vishal Singh was playing in the Park near his house where Jasan Singh son of Manjit Singh was also playing there. Both while playing quarreled with each other. Thereafter, the son of the complainant returned to his home and narrated the whole story to

complainant. At about 5 PM Mangat Singh armed with hockey, Manjit Singh armed with Dang, Simi Kaur armed with wooden log (Sag Ghotna), Ranjit Kaur armed with stick, Gurpreet Kaur armed with stick and nephew of Mangat Singh armed with iron rod came in front of the door of the house of the complainant. In the mean time, Manjit Kaur the wife of his brother also came there and she obstructed the accused persons from entering the house of the complainant. Then Simi Kaur gave wooden log (Sag Ghotna) blow to his sister-in-law. As a result she became unconscious and fell down. The assailants forcibly entered in the house. Manjit Kaur gave hockey blow towards him, which hit on his right thumb and second blow was given on his right arm. Nephew of Mangat Singh gave iron rod blow on his head near his right ear. He fell down and assailants caused him injuries. His wife tried to save him then Gurpreet Kaur wife of Mangat Singh and Ranjit Kaur gave stick and fist blows. Simi Kaur also caused hurt to his wife. Then, Manjit Kaur raised alarm on they should be taught a lesson and further abused them. Many people gather there. Thereafter, assailants fled from the spot. The motive behind the occurrence was quarrel between their children. The applicants have denied the occurrence in the house of the complainant. The place of occurrence can be determined only after the conclusion of evidence. Moreover, the complainant has already arrived at compromise with the applicants.

5. Considering the nature, gravity of the offence and all aspects, this court deems it appropriate to allow the applicants to join the investigation. Thus, they are granted interim anticipatory bail and are directed to

appear before the Investigating Officer and join the investigation within a period of 7 days and in the event of their arrest, they be released on furnishing the personal bail bond in the sum of Rs.50,000/- (Fifty Thousand) each with one surety each in the like amount to the satisfaction of the Investigating Officer/Arresting Officer. This bail order is subject to the following conditions:

- I) That the applicants shall join the investigation as and when called by the investigating officer;
- II) That the applicants 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 her from disclosing such facts to the Court or to any police officer;
- III) That the applicants shall not leave the country without prior permission of the court.

6. Now, to come come up on 18.7.2022 for awaiting report of Investigating Officer.

Pronounced on 6.7.2022
Narinder Sharma Stenographer I

(Muneesh Arora)
Addl. Sessions Judge
Patiala
(UID No.PB 0135)