

**In the Court of Gurmohan Singh,
Addl. Sessions Judge, Ferozepur (UID No.PB-0573).**

CIS No.BA/1895/2021.
CNR No.PBFZ010057802021.
Date of Order: 09.09.2021.

S t a t e

Vs.

Amritpal Kaur, aged 32 years, wife of Jaspreet Singh son of Sukhdev Singh, resident of Kahan Singh Wala, P.S. Guruhar Sahai, Tehsil Guruharsahai, District Ferozepur.

.....Accused/Applicant.

**Second application under Section 439
Cr.P.C. for regular bail.**

Present: Sh. H.D. Thakur, Advocate, counsel for the applicant.
Sh. APS Brar, Addl. Public Prosecutor for the State.

ORDER

The present second bail application has been filed by applicant/ accused Amritpal Kaur, under section 439 Cr.P.C., in in FIR No.89 dated 08.06.2021 under Sections 307/353/186/332/148/149 IPC at Police Station Guruharsahai.

2. Notice of the bail application has been issued to the State. Learned Additional Public Prosecutor for the State has appeared. Record has been produced.

3. Learned counsel for the applicant/accused submits that this is second regular bail application filed by the applicant/accused as the first regular bail application has been dismissed on merits on 20.07.2021. Learned counsel further submits that the change in circumstances in the present case is that till date, challan has not been presented and the accused/applicant is behind the bars since 08.06.2021. Further submits on merits of the case that the applicant/accused has been falsely implicated in the present case and neither injury has been attributed nor any overt act has been attributed to the applicant/accused. Further submits that as per record, the injuries are simple and offence under Section 307 IPC is not attracted. Further submits that every day of custody is the fresh ground and thus the application/accused is entitled for the grant of bail.

4. On the other hand, learned Additional Public Prosecutor for the State submits that this is second regular bail application on merits and the first regular bail application has been dismissed on 20.07.2021. Further submits that qua to the argument raised by learned counsel for the applicant regarding time period of custody, the same is not maintainable as mere days of custody does not amount to grant of bail. Further submits that there is specific role attributed to the present applicant/accused and the earlier bail application of the applicant has

been dismissed by this court after considering the merits of the case. Thus, prays that the present bail application be dismissed.

5. After hearing the learned counsel for the applicant, Learned APP for the State and perusal of the record, it reflects that this is second regular bail application on merits. First bail application has already been dismissed by this court on 20.07.2021 after considering entire facts and circumstances of the case. This court does not find any specific ground to discuss merits of the case in the present bail application. Further, regarding submission made by learned counsel for the applicant that the accused/applicant is behind the bars since 08.06.2021 and every day of the custody is the fresh ground, to this fact, this court is not having affirmative view with the submission made by learned counsel for the applicant/accused. Further, once regular bail application of the accused has already been dismissed on merits, so at this stage, merely on the point of custody, no fresh ground is made out grant bail. Accordingly, the present bail application is dismissed without commenting anything on merits. File be consigned to the Record Room.

Announced in open court

Dated : 09.09.2021.

anil kumar

Stenographer Grade-II

sd/-

(Gurmohan Singh)

Add. Sessions Judge, Ferozepur.

(UID No. PB0573)