

**In the Court of Sh. Muneesh Arora (UID No.PB0135),
Judge Special Court, Kapurthala.**

CNR No.PBKP0100-4851-2018
Bail application No.1815 of 21.09.2018
Decided on 15.10.2018

FIR No.92 of 14.08.2018
Under Sections 307, 160, 148, 149 IPC & 25/54/59 Arms Act
Police Station Talwandi Choudhrian, Kapurthala.

State Versus Gurjant Singh @ Guri aged about 18
years son of Balwinder Singh @ Rana,
resident of village Desal, Tehsil and
District Kapurthala.

Applicant/accused.

Bail application under Section 438 Cr.P.C.

Present: Sh. Gaurav Sharma, Adv., for applicant/accused.
 Ms. Mandeep Walia Addl. PP for State.

ORDER

1. The above named applicant-accused Gurjant Singh @
Guri has filed the present bail application under Section 438
Cr.P.C. in case FIR No.92 of 14.08.2018, under Sections 307, 160,
148, 149 IPC & 25/54/59 Arms Act, Police Station Talwandi
Choudhrian, Kapurthala.

2. Learned counsel for the applicant-accused has
contended that the applicant-accused is innocent and has been
falsely implicated in this case. The applicant-accused has no
concern with the commission of alleged occurrence. Nothing is to
be recovered from the applicant-accused. There is no direct or
indirect evidence against the applicant-accused to connect him
with the commission of alleged offence. The applicant-accused is

ready to join the investigation as and when required by the police. The applicant is ready to abide all the terms and conditions imposed upon him while granting him concession of bail. On these assertions they have prayed for grant of regular bail.

3. Learned Addl.P.P for the State has opposed the bail application and has submitted that grave and serious allegations have been levelled against the applicant-accused. On these assertions, she has prayed for dismissal of the bail application.

4. I have heard learned counsels for the applicant-accused, learned Addl.P.P for the State and have also gone through the record very carefully.

5. As per the allegations, the police party head by ASI Paramjit Singh was present near bus stand Hussainpur Dullowal. There he received secret information that Varinder Singh @ Sunny, Davinder Singh, Gurcharan Singh, Sanamdeep Singh, Sukhjinder Singh, Gurjant Singh, Major Singh, Dhira, Sonu, Happy, Pinda, Pabba, Binda, Raja, Gurjant Singh @ Guri, Love, Jangpreet, Vishal, Budhu Pardhan, Sonu, Gurpreet Singh, Manpreet Singh, Lovepreet Singh alongwith 28-30 persons who were armed with dattar, kirpans and were also having country made pistol, on their motorcycles had gone to Dhusi Minor Dam and there 10-12 young persons were already quarrelling with each other and other persons were also planning to quarrel with them and have been threatening to create fear in the mind of the people and in case the raid is conducted, the said persons can be

apprehended. Believing the secret information to be reliable, FIR was registered and the raid was conducted. Thereafter, the police conducted the raid and 45-50 persons armed with weapons were raising lalkaras. When the police party asked them not to raise the lalkaras, then they fired at the police party. Thereafter, the said persons fled away from there. Four persons namely Davinder Singh son of Bakshish Singh, Gurcharan Singh son of Resham Singh, Sukhjinder Singh @ Nikka son of Sukhdev Singh and Gurjant Singh son of Darshan Singh were apprehended at the spot. During interrogation, Davinder Singh disclosed that Sonu and Dhira fired from their countrymade pistol.

6. The allegations against the applicant is serious that he alongwith others had gone to Dhusi Minor Dam and there 10-12 young persons were already quarrelling with each other and other persons were also planning to quarrel with them and have been threatening to create fear in the mind of the people. When the police party asked the persons not to raise lalkaras, then they fired at the police party. Therefore, the custodial interrogation of the applicant is necessary. Hence, I do not consider it fit to release the applicant-accused on anticipatory bail. Accordingly, the bail application is filed by the applicant is ordered to be dismissed. File of bail application be consigned to the record room.

Pronounced in the open Court

Dt.15.10.2018

(Mohinder Kumar)

(Muneesh Arora)

Addl.Sessions Judge

Kapurthala (UID No.PB0135)