

**THE COURT OF SMT PRIYA SOOD,
SESSIONS JUDGE, TARN TARAN
UID-PB0065**

CIS No	:	BA/1785-2021
CNR No.	:	PBTT01-004074-2021
Date of Institution	:	01.07.2021
Date of order	:	09.07.2021.

Jaspal Singh alias Bunty, aged about 37 years, son of Ajaib Singh, resident of Khara (Thathi Khara), Tehsil and District Tarn Taran.

-----Applicant-accused.

Versus

State of Punjab.

-----Respondent.

And

CIS No	:	BA/1786/2021
CNR No.	:	PBTT01-004075-2021
Date of Institution	:	01.07.2021
Date of order	:	09.07.2021.

Ravisher Singh alias Ravi, aged about 26 years, son of Harjit Singh alias Bittu, resident of Khara (Thathi Khara), Tehsil and District Tarn Taran.

-----Applicant-accused.

Versus

State of Punjab.

-----Respondent.

And

CIS No	:	BA-1895-2021
CNR No.	:	PBTT01-004306-2021
Date of Institution	:	07.07.2021
Date of order	:	09.07.2021.

Sukhraj Singh alias Raja, aged 27 years, son of Kunan Singh, resident of Khara (Thathi Khurd), Tehsil and District Tarn Taran

-----Applicant-accused.

Versus

State of Punjab.

-----Respondent.

And

CIS No : BA-1897-2021
 CNR No. : PBTT01-004307-2021
 Date of Institution : 07.07.2021
 Date of order : 09.07.2021.

Tarsem Singh, aged about 33 years, son of Kunan Singh, resident of Khara (Thathi Khara), Tehsil and District Tarn Taran.

-----Applicant-accused.

Versus

State of Punjab.

-----Respondent.

FIR No. : 159 dated 14.06.2021
 Under Section : 452/427/323/324/506/148/149 IPC
 Police Station : City, Tarn Taran

Bail applications under Section 438 of Cr.P.C

Present: Sh. J.S.Johal, Advocate, counsel for the applicants-accused.
 Sh.Sachin Azad, Addl. P.P. for the State.

Order

1. Vide this order, four bail applications under Section 438 Cr.P.C, one filed by applicant-accused Jaspal Singh, second filed by applicant-accused Ravisher Singh, third filed by applicant-accused Sukhraj Singh and fourth filed by applicant-accused Tarsem Singh, seeking anticipatory bail in case FIR No.159 dated 14.06.2021, under Sections 452/427/323/324/506/148/149 of IPC, Police Station City, Tarn Taran, shall be disposed of.

2. Notice of the bail application was given to the State, pursuant to which Learned Public Prosecutor has put in appearance.

3. The allegations against applicant-accused, alongwith two name accused and two unnamed accused, who have been booked in the present FIR, pertains to an attack, alleged to have been mounted by

applicants-accused and their co-accused on the complainant side in the evening of 05.06.2021 at about 08:00 PM. The applicants-accused and their co-accused are alleged to have been armed with datars, bas ball bats, dangs etc. and alleged to have given beating to the complainant side as a result of which Dilbagh Singh, bother of the complainant and Sonu Singh, son of complainant received injures. As the complainant side raised rroula, applicants-accused, alongwith co-accused are alleged to have thrown brick bats at the house of the complainant side and to have damaged the house hold articles.

4. Injuries on the person of complainant side, so far have been reported to be simple and grievous, as a result of blunt weapons. The occurrence is alleged to have taken place in the house of complainant side, thereby, attracting the offence under Section 452 IPC. However, as against the version in the FIR, a cross-version has been registered on the statement of Shinder Kaur, with respect to attack by complainant side led by Balwinder Singh (non applicant-accused), during the course of which one of the co-accused (non applicant), namely, Jobanjit Singh received injuries, one of which has been declared to be grievous in nature by board of doctors, DDR No.35 dated 24.06.2021, Under Section 323/324/326/148/149 IPC, Police Station City Tarn Taran, has been entered against accused and his assailants. As per cross-version the occurrence took place outside the house of Pinder Kaur, complainant of cross-version, in the street.

5. Applicant-accused Ravisher Sher Singh and Jaspal Singh are stated to be empty handed at the time of alleged occurrence. All the offences, except the offence under Section 452 IPC, are bailable in nature.

The question as to whether the occurrence took place in the street outside the house of cross complainant Pinder Kaur or as to whether the applicants-accused trespassed in the house of Balwinder Singh, who is accused of cross-version would be matter of evidence. Likewise, genesis of occurrence and the adjudication of aggressor party would be matter of adjudication during trial.

6. In this backdrop, keeping in the mind the totality of circumstances and facts as discussed above, the present case is found to be a fit case in which concession of pre-arrest bail is liable to be extended to the applicants-accused. Accordingly, the applicants-accused are directed to join the investigation, in which event the applicants-accused will be admitted on interim bail to the satisfaction of arresting officer/investigation officer/SHO concerned of the police station subject to conditions:-

- a) That applicants will join the investigation and cooperate with the same as and when called by the investigation officer.
- b) They will not tamper with the prosecution evidence.
- c) They will not leave the country without prior permission of the court.

7. For report to come up on 26.07.2021.

8. Copy of the order be placed in connected bail applications titled as "Ravisher Singh Vs. State, CIS No.1786-2021, Sukhraj Singh, CIS No.1895-2021, Tarsem Singh, CIS No.1897-2021.

Pronounced
09.07.2021
Jaspal Singh
Stenographer-III

Priya Sood
Sessions Judge
Tarn Taran/UID-PB0065