

CRN-PBBT01-008964-2019.

CIS No.BA-1902 of 2019.

Avtar Singh versus State

Present: Sh.G.S.Chahal, Adv.counsel for applicant/ accused.
Sh.Daljit Sharma, Addl.P.P.for the State.

ORDER

1. This order of mine shall dispose of bail application under Section 438 Cr.P.C. filed by the applicant/ accused in FIR No.98 of 10.07.2019, U/s 186, 336, 353, 504 IPC, PS Maur.
2. Upon notice, learned Addl.PP for the State assisted HC Ranjit Singh has opposed the bail application. Police record has been produced, which is seen and returned.
3. Ld.counsel for applicant has submitted that there is unexplained delay in the lodging of FIR. Applicant has been falsely implicated. All the offences, except offence u/s 353 IPC, are bailable in nature. Nothing is to be recovered from the applicant and as such, his custodial interrogation is not required. He is even otherwise ready to join the investigation.
4. On the other hand, ld.APP for the State has opposed the bail application alleging that the applicant had obstructed the officials of PSPCL in discharging their public duties and caused injuries upon them. As such, he deserves no concession of bail.
5. I have considered the arguments advanced by learned counsel for the applicant/ accused as well as learned Addl.PP for the State.
6. Perusal of file reveals that instant case was registered on the basis of complaint filed by Assistant Executive Engineer, alleging that

Avtar Singh alongwith two other persons had abused the officials of the PSPCL and obstructed them in performing their official duty. On 11.5.2019, at about 7.30 p.m., the 11 KV GO Switch, Kuttiwal Khurd was switched off due to fault in 11 KV Baghawala, AP Feeder Line. Sh.Sukhchain Singh, official of the PSPCL accompanied by Gurpreet Singh and Gurwinder Singh were trying to rectify the fault. A tree had also fallen near the funeral ground, which was being removed by official Gurpreet Singh, when Avtar Singh alongwith two persons had switched on the 11 KV, G.O.switch due to which Gurpreet Singh suffered a shock. Sukhchain Singh and Gurwinder Singh reached the GO switch, where they restrained Avtar Singh from doing so, but he abused them. The occurrence allegedly took place on 11.5.2019. FIR was registered nearly after 2 months i.e. on 10.7.2019. There is hardly anything on record to show that some overt act having been done by the present applicant for obstructing the PSPCL officials in performing their duty. The only averment against him is that he was questioned for having switched on the GO switch.

7. I find that all the offences in which FIR has been registered against the applicant are bailable in nature except offence u/s 353 IPC. Custodial interrogation of applicant is not required. Hence, applicant is directed to join investigation with the Investigating Officer within 2 days from today and to cooperate in it. In that eventuality, he will be released on interim bail by the arresting officer on furnishing of bail bonds to his satisfaction. Applicant shall comply with the conditions under section 438 (2) Cr.P.C. Copy of this order be sent to the

concerned quarter. Report of Investigating Officer, joining of investigation by the accused, be also submitted on **20.07.2019**.

Pronounced in Open Court:
Dt.18.07.2019.

(Sanjeeta)
Addl. Sessions Judge,
Bathinda(UID: PB0177).

Kulwinder Singh,
Stenographer (Grade-II).