

**IN THE COURT OF KAWALJIT SINGH,
ADDITIONAL SESSIONS JUDGE, TARN TARAN.
(UID Number PB0155)**

Case Type	BA
Filing Number	2996/2021 Filing Date : 01.07.2021
Case Number	1814/2021 Registration Date: 02.07.2021
Case Code	PBTT01-004121-2021
Date of Order	09.07.2021

Gurjant Singh, aged 28 years, son of Sukha Singh, resident of village Marhana, Tehsil Patti, District Tarn Taran.

---Applicant/accused

Versus

State of Punjab

---Respondent

FIR No.53 dated 22.05.2021
Under Section 295-A, 323, 506, 148, 149 of IPC
Police Station, Chohla Sahib

**Bail application in the cross version registered vide DDR No.45
dated 23.05.2021 under Sections 452, 323, 324, 427, 148, 149 and
Section 326 IPC added later on**

Bail application under Section 438 of Cr.P.C.

Present: Shri Hira Singh Sandhu, Advocate for applicant/accused
Shri Satinderjit Singh, Additional Public Prosecutor for State

ORDER

Applicant has filed the instant bail application under Section 438 of Code of Criminal Procedure seeking anticipatory bail in the above noted cross version case.

2. The present DDR has been got registered on the statement of complainant Ram Baldev Singh, who stated that he works as a private driver. His elder brother namely Sawinderpal Singh has died and eldest is namely Surjit Singh. All the three families reside in the same house in separate rooms. There is only one main gate of their house. On 21.05.2021, at about 08:30 P.M., when the bulb of his house was on and

there was also light in the street, then he came out in the street to have a walk after taking the dinner. He saw in the street his co-villagers namely Gurpal Singh armed with rod, Gurbakhshish Singh armed with baseball bat, Lovepreet Singh alias Labha armed with Kirpan, Jasbir Singh armed with dang, Akashdeep Singh armed with Datar, Jugraj Singh armed with Kirpan, Pargat Singh armed with dang, Tarsem Singh holding brickbats, Gurjant Singh armed with Kirpan, Gehal Singh armed with Dang were coming towards him while raising lalkara. Upon coming nearing to him, Gehal Singh raised lalkara to catch hold of him to teach him a lesson for stopping them from playing card games near his house in the Khahi. Hearing the lalkara Gurbakhsh Singh gave a baseball bat blow towards him, when he raised his left arm to ward off the attack, it hit his arm. He out of fear quickly ran inside his house. All the accused, with their weapons, followed him and entered his house. His nephew Karandeep Singh and Gagandeep Singh came forward to his rescue. Then Lovepreet Singh gave a Kirpan blow, which hit on the left hand of Karandeep Singh., Gurpal Singh gave a rod blow to his nephew Gagandeep Singh on his backside of his shoulder. Pargat Singh gave a dang blow again to Gagandeep Singh, it hit on the backside of his left shoulder. When his niece Mandeep Kaur came forward to rescue them, then Jasbir Singh gave a dang blow, which hit on the left eyebrow. Tarsem Singh pelted stones and smashed the windowpane of the room. They raised alarm, which attracted the neighbours, who started gathering there. Seeing the gathering, all the accused after giving threats ran away from the spot.

3. It is argued by the learned counsel for the applicants that this

cross version is the counter blast to the FIR got lodged by Gehal Singh against the complainant party of this DDR. It is submitted that DDR has been got lodged after a delay of one day after the registration of FIR with due deliberation and consultation in order to put pressure on the applicants and Gehal Singh to withdraw the FIR. It is submitted that the no injury has been attributed to the applicant as per the version of the complainant. It is submitted that applicant is ready to join the investigation and will co-operate with the same. Therefore, it is prayed that applicants be granted anticipatory bail.

4. On the contrary, Additional P.P. for the State prayed for dismissal of bail application.

5. I have evaluated the contentions raised by both the parties. As per the allegations of the prosecution, applicant is said to have caused no injury to anybody. Present is a cross version DDR and the offences are triable by the Magistrate of First Class. Authenticity of the version of the complainant and culpability of the applicants is a matter of evidence. The circumstance of the case does not make out a case for custodial interrogation of the applicant. As such, without commenting anything upon the merits of the case and in order to facilitate the fair investigation, applicants are directed to join the investigation on or before 13.07.2021 and cooperate with the same and in the event of their arrest, they be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer on the following conditions:

- 1) That applicant shall appear before learned Investigating Officer as and when called upon him.
- 2) That the applicant shall not leave India without the prior

permission of the court.

- 3) That the applicant 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 from disclosing such facts to the court, during trial.

Adjourned to 13.07.2021 for awaiting report from concerned police station as to whether applicants joined the investigation or not?

However, it is made here clear that observation made herein above shall not be construed as an expression on the merits of the main case.

Announced: 09.07.2021

Kawaljit Singh
Additional Sessions Judge
Tarn Taran
UID Number PB-0155

Self typed