

1 UID No.PB0450
CNR No.PBGD01-004207-2022 CIS No. BA-1814-2022

IN THE COURT OF SH. AMAR PAUL, ADDITIONAL SESSIONS
JUDGE, GURDASPUR. UID NO.PB0450 (BEING JUDGE ON DUTY)

Bail Application No.460 of 2022

Date of Institution: 19.05.2022

Date of Order: 10.06.2022

CNR No.PBGD01-004207-2022 CIS No. BA-1814-2022

Kulwinder Singh @ Thoma son of Barkat resident of 333, Isha Nagar
Ram Tirath Road, Tehsil Batala, District Gurdaspur.

....Applicant.

Versus

State of Punjab

....Respondent.

FIR No.26 dated 22.02.2022

U/Ss 323, 324, 148, 149 IPC and Section 326 IPC added later on.

Police Station City Batala.

First Application for Anticipatory Bail U/s 438 Cr.P.C.

Present:-Sh. Baldev Singh Advocate,for applicant.

Sh. K.S. Gill Addl. Public Prosecutor for the state.

ORDER

1. Bail application has been put up before the undersigned being Judge on Duty.
2. Applicant has sought anticipatory bail under section 438 Cr.P.C. on the ground that he has been falsely implicated in this case. Applicant is ready to join the investigation by cooperating the police and prayed for bail.
3. Notice of the bail application was given to the Addl.PP for the State who opposed the bail application and prayed for dismissal of the same.

4. Police record was called which has been received and perused.

5. Heard. Considered. In this case FIR has been registered on dated 22.02.2022 on the statement of Ravinder Singh on the brief contents that he is running grocery shop in Isha Nagar Batala. On 20.02.2022 he and his wife Bevi were sat in the shop. At about 9.00 PM Bunty who is living on rent in their area alongwith Thoma applicant and Babbu armed with datars came to his shop alongwith other 10/15 unknown persons and they demanded Cigarette /Beedeas on borrower basis from his wife. His wife refused for the same. Then above referred three persons started quarreling with his wife. When he tried to stop them, then Babbu gave datar blow which hit on his left side of his head. Then Bunty gave datar blow which hit on his left side of his forehead. Then Thoma applicant gave datar blow which hit on his left wrist. Then Babbu gave datar blow which hit on below the knee of left leg. His wife came forward to save him. Then Thoma gave reverse side of datar blow which hit on her head. Then unknown persons lifted the stone and pelted upon his wife which hit on her shoulder. Then they raised alarm where public gathered and at the spot his brother came. Then all the assailants by pelting bricks/stones ran away from the spot with the weapons and damaged their shop. Then his brother Gurpreet Singh got admitted him and his wife in the hospital and on his statement FIR has been registered.

6. In this case injury no.4 of Ravinder Singh has been declared by the Doctor grievous in nature and accordingly, vide GD No.25 dated

25.02.2022 offence under section 326 IPC has been added in this case. Injury for the offence of 326 IPC is attributed to the applicant. Accordingly, nature of the offence is grave and serious one keeping in view his role. The weapon of offence cannot be recovered without police interrogation. Hence, proper place for the applicant is in police custody and not to release him on anticipatory bail. Hence, bail application being without merit is ordered to be dismissed. Police record be returned. Now bail application file be put up before the learned Sessions Judge, Gurdaspur for entrustment and consignment purpose on dated 05.07.2022.

Pronounced:
Dated: 10.06.2022.
Shiv Kumar Stenographer-1

(Amar Paul),
Addl. Sessions Judge,
Gurdaspur. UID No. PB0450.
(Judge on Duty)