

Bail Application No. 233/2020

C.N.R. Number : PBSG010005812020

Present: Shri G. S. Grewal, Advocate counsel for the applicants/accused
Shri R.S Kauldhar, Additional Public Prosecutor for the State.

ORDER:

1. Arguments on anticipatory bail application moved by applicants/accused Jaspreet Singh, Harsapinder Pal Singh and Amanpreet Singh under Section 438 of Code of Criminal Procedure in case bearing FIR No. 09 dated 14.01.2020 under Sections 308,323,506,34 Indian Penal Code registered at Police Station Sadar Ahmedgarh, heard. Police record produced and perused.

2. Learned counsel for applicants/accused has argued that applicants/accused have been falsely implicated in this case. No such occurrence has ever been taken place. No offence under Section 308 IPC is made out as no injury has been caused by any of the accused to either complainant or her husband and son. The only allegations against the applicants/accused are that they gave slaps and used filthy language against complainant Manjit Kaur, her husband Baldev Singh and son Jatinder Pal Singh. A compromise has also been effected between the parties. Nothing is required to be recovered from their possession.

Therefore, it is prayed that applicants/accused may kindly be released on anticipatory bail.

3. On the other hand, learned Additional Public Prosecutor for the State has argued that applicants/accused gave beating to Baldev Singh and slaps to complainant Manjit Kaur and her son Jatinder Pal Singh on 13.01.2020 at about 11/11:15 PM and they have also used filthy language against them and shot a fire in the air outside the house of the complainant. Therefore, it is prayed that anticipatory bail application moved by applicants/accused may kindly be dismissed.

4. As per allegations of the prosecution, on 13.01.2020 at about 11:00/11:15 PM, applicants/accused in connivance with each other gave beating to Baldev Singh husband of complainant Manjit Kaur and when the complainant and her son Jatinder Pal Singh came to rescue her husband Baldev Singh from the clutches of applicants/accused, they also gave slaps to them and thereafter when the complainant alongwith her husband and son came back to her house and remained in the house after locking the main gate from inside, applicants/accused came at the main gate of her house and used filthy language against them and gave kick blows at the main gate of her house and when they did not open the gate of their house, applicants/accused went away while giving threats to kill them. It is also alleged that they have heard noise of a fire shot in the air. No injury has been received by either the complainant or her husband and

son. No medical record in this regard has been produced by the Investigating officer. Neither complainant Manjit Kaur nor her husband Baldev Singh has disclosed about any injury caused on the person of Baldev Singh by the applicant/accused. Nothing is required to be recovered from the possession of applicants/accused. Hence, in such circumstances without going into the merits of the case, I am of the view that it is a fit case where concession of pre-arrest bail can be given to the applicants/accused and as such, applicants/accused are directed to join the investigation before the Investigating officer within 05 days from today and in case of their appearance before the Investigating officer to join the investigation in this case, the Investigating officer shall release them on interim bail to his/her satisfaction subject to the following conditions:-

- a) applicants/accused shall make themselves available for interrogation by a police officer as and when required;
- (b) applicants/accused 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 him/her from disclosing such facts to the Court or to any police officer;
- (c) applicants/accused shall not leave the country without prior permission of the Court.

5. A copy of this order be sent to the SHO, Police Station Sadar Ahmedgarh. Police file be returned. Now to come up on 31.01.2020

for awaiting report of Investigating Officer regarding joining of investigation by the applicants/accused and arguments on bail application.

Announced:

Dated:-24.01.2020.

(Sham Lal),
Additional Sessions Judge,
Sangrur.
[UID Number : PB0123]

shama stenographer-II.