

IN THE COURT OF RANJIT KUMAR JAIN,
ADDITIONAL SESSIONS JUDGE,
PATIALA(PB0077)

BA No.2331/2021
CNR No.PBPT010069872021
Date of order: 20.7.2021

Naveen @ Rishu aged about 21 years son of Sunil Kumar resident of
House No. 29/406, Tobha Chet Singh, Patiala.

.....Applicant/accused

Versus

State of Punjab

FIR No. 228 dated 21.5.2021,
Under Section 336,379B,323,324,120-B of IPC &
25/27 of Arms Act,
Police Station Kotwali, Patiala

Application Under Section 439 of Cr.P.C.

Present: Sh. Ashu Sharma, Advocate, for applicant-accused
Sh. K.S. Bajwa, Addl. Public Prosecutor for the State

ORDER:-

1. This order of mine shall dispose off regular bail application
as moved by the applicant/accused in the above mentioned case on the
grounds that false and fabricated FIR has been registered against the
applicant. Applicant has not committed any such offence as alleged in the

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FIR. No offence under Section 379-B IPC is made out against the applicant. Applicant is in judicial custody since long. Presentation of challan shall take sufficient long time. Applicant undertakes to make himself present before the court on each and every date of hearing. Nothing is required to be recovered from the applicant and applicant is no more required for any investigation. The detention of applicant cannot be compensated in case of his acquittal. Applicant undertakes to abide by all the conditions imposed by this court. The bail and not jail is rule of law. Prayer is made for allowing the bail application.

2. The brief facts are that the present case has been registered on the basis of statement suffered by Sunil Kumar son of Vijay Kumar resident of House No.457, Gali No.2, Dhiru Nagar, Patiala on the allegations that on 21.5.2021 when he alongwith Channi and his cousin Honey were returning to their homes and when they reached near Karrah Wala Chowk, accused Inderpreet Singh, Kaka Malik, Rishu and Mattu came their in cars and Indepreet Singh fired two shot towards him which were missed. Accused Kaka gave blow of baseball having nails, on the left side of his head and on left side of his wrist and face. Upon which he fell down and Inderpreet Singh snatched his gold chain and all the accused ran away from the spot. The complainant was got admitted in

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hospital. On the basis of statement FIR has been lodged and investigation is pending.

3. Notice of bail application was given upon which State has contested bail application. Police file has been called and perused.

4. I have heard learned counsel for the applicant/accused and Addl. Public Prosecutor for the State and perused the judicial as well as police file. The accused was arrested on 23.5.2021 and since then he is in custody. As per allegations in the FIR accused is involved in causing beating to the complainant with fist blows. He was not armed with fire arm nor he has snatched gold chain from the complainant. Moreover, he is in custody since quite long time. No useful purpose will be served to retain him in custody as it will take some time to complete investigation and thereafter trial. In view of the apprehension of third wave of Covid-19, he is ordered to be released on bail on furnishing bonds in the sum of Rs. 2,00,000/-(Two Lac) with one surety in the like amount to the satisfaction of Learned Illaqa/Duty Magistrate with the conditions that:

- (i) the applicant/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;
- (ii) the applicant/accused shall not leave the country without prior permission of the court;

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- (iii) the applicant/accused shall appear on each and every date of hearing before the learned trial court or in any other court as directed by that court.

Police record be returned, whereas bail application file be consigned to the record room.

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jaspal singh stenographer-II

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