

State Vs. Gurvinder Singh

Bail Application No. 18/2019

CNR No. PBPTBI-000721-2019.

FIR No 9 dated 17.1.2019

under Section 382 IPC

PS Kotwali Nabha.

Present:- Sh. Biswa Basu, Adv for applicant/accused.

APP for State assisted by IO.

Heard on bail application moved on behalf of accused. In brief, the averment in the application is that the accused is innocent. No offence under Section 382 IPC is made out as complainant has not received any injury and there are delay of 48 hours for lodging of FIR. Further that accused is in custody since 21.1.2019.

Upon notice reply to application was filed by the prosecution opposing the same.

The allegations against the accused are under Section 382 IPC. The averment of Ld counsel for accused is that offence under Section 382 IPC is not made out because complainant has not received any injury, is not tenable as the offence under Section 382 IPC attracts even if preparation is made to cause injury. No doubt there is delay of 48 hours in the lodging of FIR. However, Same is not sufficient to grant bail to the accused. Also from the record produced it is clear that another FIR No. 10 of 2019 under Section 379-B IPC is registered against the accused.

In view of the facts, the Court is of the considered opinion that accused is not entitled to the relief of bail particularly in view of the gravity of offence. Bail application of accused is dismissed. Papers be tagged with main FIR/remand papers.

Date of order 16.3.2019

Pamelpreet Grewal Kahal PCS
SDJM/Nabha.(UID No. PB 0304)

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I attest the accuracy and authenticity of this document.