

**IN THE COURT OF MRS. MANDEEP PANNU,
SESSIONS JUDGE, MOGA (UID:PB0046).**

CIS No. BA/1761/2021

CNR No.PBMO0100-4457-2021

Date of order: **25.08.2021**

State of Punjab

Versus

Gurjeet Singh @ Nikka, aged about 41 years son of Balvir Singh, resident of near Girls College, village Tharaj, Tehsil Baghapurana, District Moga.

Applicant-accused.

FIR No.81 dated 14.05.2021

Under/Sections:452,323,34 IPC (offences u/ss
379-B, 411 IPC and 325 IPC added later on)

Police Station: Baghapurana

Bail application under Section 439 Cr.P.C.

Present: Shri Sanjeev Mehta, Advocate, Counsel for applicant-accused.

Shri Sukhchain Singh, Public Prosecutor for the State.

ORDER

This order of mine shall dispose of an application under Section 439 Cr.P.C filed by applicant-accused Gurjeet Singh for regular bail.

2. Notice of the bail application was given to the State. Learned Public Prosecutor made appearance on behalf of the State and opposed the same.

3. Perusal of FIR reveals that complainant Balbir Singh has leveled allegations that he is an Ex.Service man. He is having six daughters and three sons, out of them his three daughters and one son had died. The other children are married. His both the sons are residing separately in their respective houses. He is living with his son Jaswant Singh. After the death of his son Gurmeet Singh, his wife Hardeep Kaur performed second marriage with his younger son Gurjeet Singh and one female child was born out of their wedlock. He alleged that few days ago, his maternal grand son namely Kuldeep Singh son of Jagroop Singh, resident of Khosa Kotla had come to the house of his son Gurjeet Singh and he had a suspicion that he was having illicit relations with his daughter-in-law Hardeep Kaur. He alleged that he used to tell his grand son to go back to his village but his daughter-in-law used to object this by saying that who is he to object. She also provoked his son Gurjeet Singh against him. On 08.05.2021 at about 4.00 p.m, he was sitting in his courtyard. His son Jaswant Singh had gone out whereas his daughter-in-law was doing house hold chores and Hardeep Kaur came near the main gate of their house but on seeing him sitting in the courtyard, she returned back. After some time, his son Gurjeet Singh @ Nikka armed with iron pipe, his daughter-in-law armed with dang, his grand son Kuldeep Singh armed with dang and Gurtej Singh armed with dang forcibly entered into their house. Hardeep Kaur raised a *lalkara* to teach him a lesson for leveling false allegation against her, upon which his son Gurjeet Singh gave an iron pipe blow, which landed on his right eye.

Then Kuldeep Singh gave a dang blow, which he warded off with his left arm and the blow hit on his left arm. Then Gurbhej Singh gave a dang blow on his head and Gurjeet Singh gave another iron pipe blow which landed on his right shoulder. His daughter-in-law Hardeep Kaur gave a dang blow which he warded off and the blow hit on the little finger of his right hand. He raised raula of *marta-marta* which attracted his daughter-in-law Kuldeep Kaur, who witnessed the entire occurrence. Thereafter, all the accused persons ran away from the spot with their respective weapons. His son Gurjeet Singh also took out his pension money to the tune of ₹15,000/- from his pocket. His son Jaswant Singh also reached the spot and motive behind the occurrence was that his daughter-in-law Hardeep Kaur was having illicit relations with his grand son Kuldeep Singh, to which he objected and due to this reason, all the accused persons in connivance with each other caused injuries on his person. He was got admitted in Civil Hospital, Moga by his son Jaswant Singh after arranging a vehicle.

4. It is submitted by learned counsel for the applicant-accused that a false case has been registered against the applicant-accused. The applicant-accused never committed any such offence as alleged in the FIR. There is delay of six days in lodging the FIR. In fact there is dispute of property between the applicant-accused and his brother and brother of complainant got registered a false case against the applicant-accused from his father just to pressurize him to relinquish his share in the property. The applicant-accused is in custody since 12.06.2021 and it is a case of simple

injuries. Conclusion of trial will take long time. No useful purpose will be served by keeping the applicant-accused behind the bars for a definite period. Therefore, he be released on regular bail.

5. I have considered the respective contentions of learned Public Prosecutor for the State, learned counsel for applicants-accused and perused the record carefully.

6. Perusal of record reveals that the applicant-accused is in custody since 12.06.2021. Recovery has already been effected in this case. Challan has been presented. However, conclusion of trial will take sufficient time. No useful purpose would be served in keeping the applicant-accused further in custody. Consequently, the present bail application is allowed and the applicant/accused is ordered to be released on bail on his furnishing personal bonds in the sum of ₹50,000/-each with one surety in the like amount, to the satisfaction of Illaqa/Duty Magistrate. File be consigned to the record room.

Pronounced: 25.08.2021
Jaswant Kaur, Stenographer Gr.II

(Mandeep Pannu)
Sessions Judge, Moga
UID No. PB0046
(directly dictated on computer)

State Versus Gurjeet Singh

BA 1761-2021

Present: Shri Sanjeev Mehta, Advocate, Counsel for applicant-accused.
Shri Sukhchain Singh, Public Prosecutor for the State.

Arguments heard. Vide my separate order of even date, the present bail application has been allowed. File be consigned to the record room.

Pronounced:25.08.2021
Jaswant Kaur, Stenographer Gr.II

(Mandeep Pannu)
Sessions Judge,Moga
UID No.PB0046
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