

**IN THE COURT OF PALWINDER JIT KAUR,  
ADDL. SESSIONS JUDGE, HOSHIARPUR.  
(PB0187)**

CIS BA No.1760-2024  
CNR No.PBHO001005451-2024  
Date of institution: 18.06.2024  
Date of order: **06.07.2024.**

Inderjit Singh son of Pargat Singh aged about 30 years resident of Malkowal PS Garhshankar, Distt. Hoshiarpur.

...Applicant

Versus

State of Punjab

...Respondent.

FIR no.144 dated 13.8.2023.  
Under Sections: 324, 452,34 IPC and  
Section 326 IPC added later on.  
Police Station: Garhshankar.

**Application Under Section 438 of Cr.P.C.**

Present: Sh. Pankaj Bedi Advocate, for applicant-accused  
Sh. Bharat Addl. Public Prosecutor for the State

**ORDER:-**

1. This order of mine shall dispose off bail application filed by applicant/accused under Section 438 Cr.P.C. for grant of anticipatory bail in above mentioned case. Notice of the bail has been given to the State. learned Addl. PP appeared on behalf of State and contested the bail application. Record has been produced and perused.

2. As per the prosecution version, the present case was registered on the statement of complainant Suresh Kumar, wherein he stated that on 12.8.2023 at about 4:15 PM, he was sleeping in a room in the house of his maternal grand mother (Nani)

situated at Ward No. 7 Garhshankar. In the meantime, Avinash, Dhanijo alongwith two unknown boys having muffled faces came on two motorcycles and after opening the gate entered into their house and started abusing him. Then Avinash gave khanda blow which hit on his right hand, Dhanijo gave khanda blow which hit on his left arm, then third unknown boy gave khanda blow which hit on the fingers of his hand and the fourth boy gave khanda blow from its reverse side which hit on his chest. He raised hue and cry and thereafter all the assailants fled away from the spot on their motorcycles. The motive behind the occurrence is that earlier the above said persons snatched his mobile phone, which he had taken back from them and due to this grudge they caused injuries to him.

3. I have heard the learned counsel for the applicant-accused, learned Addl. PP for the State and perused the record.

4. Learned counsel for the applicant/accused argued that applicant is innocent and has not committed any offence. The applicant has not named in the FIR. The anticipatory bail application of the co-accused Dhananjay and Avinash are already allowed by the Hon'ble High Court. The role of the applicant is not grave than the co-accused, who is already on bail. No specific injury is attributed to the applicant. There is no need of any custodial interrogation of the applicant. The applicant/accused is ready to join the investigation undertakes to appear on each and every date of hearing and to abide by all the terms and conditions as imposed by this Court, if he is released on bail. So, prayer is made for grant of anticipatory bail to the accused/applicant.

5. On the other hand, learned Addl. Public Prosecutor for the State while controverting his contentions has vehemently argued that the applicant accused alongwith his co-accused caused injuries on the person of the complainant with deadly weapons. He has further argued that the custodial interrogation of the applicant-accused is required in this case as recovery of Khanda is yet to be effected in this case. Hence, he prayed that bail application may be dismissed.

6. As per allegations, the applicant-accused alongwith his co-accused have caused injuries on the person of the complainant with deadly weapons. As per MLR injury No. 3 on the person of complainant has been observed as fracture by the doctor concerned and offence U/s 326 IPC has been added in this case. The investigation is at crucial stage. The weapon of offence i.e. Khanda is yet to be recovered, for which the custodial interrogation of the applicant-accused is required. The role of the applicant-accused cannot be ascertained at this stage. So far as the contentions raised by learned counsel for the applicant-accused, those are matter of evidence. Therefore, keeping in view the gravity of offence, at this stage I do not find any ground to grant the concession of anticipatory bail to the applicant-accused and as such the bail application is dismissed. The observations made by this Court while deciding this bail application are only for the limited purpose of adjudication of the present bail application and, as such, are not to be construed as an expression on the merits of the case. Police record be returned and file of bail application be consigned to record.

Pronounced in open Court:

Date of order: 06.07.2024.

Palwinder Jit Kaur,  
Addl. Sessions Judge,  
Hoshiarpur

*Anil Kumar, JW.*

UID NO. PB0187

*Direct dictation.*

Inderjit Singh Vs. State

Present: Sh. Pankaj Bedi Advocate, for applicant-accused  
Sh. Bharat Addl. Public Prosecutor for the State

Police record produced. Arguments heard. Vide my separate detailed order of even date, the bail application is dismissed. Police record be returned and file of bail application be consigned to record.

Pronounced in open Court:

Date of order: 06.07.2024.

*Anil Kumar, JW.*

*Direct dictation.*

Palwinder Jit Kaur,  
Addl. Sessions Judge,  
Hoshiarpur  
UID NO. PB0187