

Bail application No.18/2021.

FIR No.292 of 4-12-2020

U/s 323,324,341,506 of the IPC

P.S. Tanda

Present:- Sh.RS Sidhu Adv counsel for the accused/applicant.
Sh. Bharat Sahota, Ld. APP for the State.

Order:-

This order of the Court shall dispose of the bail application filed through counsel on behalf of accused/applicant Karnail Singh. The brief facts as submitted in the application are that the accused has falsely been implicated in this case. It is further contended that the complainant stated a concocted story after getting false MLR with connivance of the medical professional and as such section 325,326 IPC were added later on in order to rope the accused in the non bailable offence. It is further contended that the accused is in custody since 11-2-2021 and nothing is to be recovered from the accused and no useful purpose will be served by keeping the accused/petitioner for a long time. It is further contended that there is no apprehension of the absconding of the accused. Accordingly, prayer for releasing the accused on bail has been made.

2. On notice Ld. APP for the State appeared and hotly contested the bail application on the ground that accused has committed the grievous offence for which he is not entitled to be released on bail and there is apprehension that if he is released on bail he may misuse the same. Accordingly, prayer has been made for the dismissal of the bail application.

3. I have heard the rival contentions of Ld. Counsel for the applicant and Ld. APP for the state and have perused the case file meticulously.

4. Perusal of the prosecution story reveals that the accused has been booked in this case for the offences punishable under sections 323,324,341,325,326 & 506 of the Indian Penal code. As per the prosecution's story the accused has given blows of "Aara" which hit on the left eye and left elbow of the complainant. The accused has allegedly caused grievous injury to the complainant. Though the allegations are required to be proved by the prosecution, yet the injury on the person of the complainant cannot be ignored at this stage. All the contents of the Learned

counsel for the applicant that the accused has been falsely implicated in connivance with the doctors and police shall be seen at the later stage/during the course of the trial. In my considered opinion, if the concession of the bail is granted to the accused, he may mis-use the concession of the bail and can tamper with the prosecution's evidence. Hence, in my expressed opinion, without commenting on the merits of the case, the accused is not entitled to concession of bail.

Consequently, the bail application of the accused Karnail Singh is hereby dismissed.

Announced.

6-4-2021.

Renu Goyal, PCS,
Judicial Magistrate First Class,
Dasuya. UID PB0553.

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JMFC, Dasuya.
UID PB0553.