

CNR No: PBSG010038902020.

Reg No. 1754-2020

Present: Shri Vishal Uppal, Advocate counsel for applicant/accused
Shri R.S. Kauldhar, Additional Public Prosecutor for State.

ORDER:

1. Arguments on bail application filed by applicant/accused Rashpal Singh under Section 438 Cr.P.C, for releasing him on anticipatory bail in this case bearing FIR No. 40 dated 04.03.2020, under Sections 452,323,34 IPC and section 325 IPC added later-on, Police Station City Dhuri, heard. Police Record produced and perused.
2. Learned counsel for the applicant/accused has argued that applicant/accused has been falsely implicated in this case. No such occurrence has been taken place. No injury has been caused by him to the complainant. All the offences except offence punishable under Section 452 IPC are bailable. Applicant/accused is ready to join the investigation. Therefore, it is prayed that applicant/accused may kindly be released on anticipatory bail.
3. On the other hand learned Additional Public Prosecutor has vehemently argued that applicant/accused in connivance with his co-accused caused grievous and simple hurt to complainant Barjinder Singh by entering into his house by means of baseball. The injury attributed to him were declared grievous in nature by the Doctor. The custodial

interrogation of applicant/accused is required to recover the weapon used in the commission of the said offence and to conduct the proper investigation. Therefore, it is prayed that anticipatory bail application moved by applicant/accused may kindly be dismissed.

4. As per allegations of the prosecution, applicant/accused along-with an unknown person caused simple and grievous hurt to complainant Barjinder Singh by entering into his house on 04.03.2020 at about 11:30 AM when complainant got repaired his house. The injuries attributed to the applicant/accused were allegedly caused by him with blunt weapon baseball. No doubt the injury on the left fore-arm and left leg which are defused swelling were declared grievous in nature by the Doctor after going through the x-ray report, but both the said injuries were caused by blunt weapon baseball. All the offences except offence punishable under Section 452 IPC are bailable one. Therefore, without going into the merits of the case, I am of the view that it is a fit case where concession of pre-arrest bail can be given to the applicant/accused and as such, applicant/accused is directed to join the investigation within 05 days from today and in case of his appearance before the investigating officer to join the investigation in this case, the investigating officer shall release him on interim bail to his satisfaction subject to the following conditions:-

a) applicant/accused shall make himself available for interrogation

by a police officer as and when required;

(b) 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;

(c) applicant/accused shall not leave the country without prior permission of the Court.

5. A copy of this order be sent to the SHO, Police Station City Dhuri. Police file be returned. Now to come up on 24.06.2020 for awaiting report of Investigating Officer regarding joining of investigation by the applicant/accused and arguments on bail application.

Announced:

Dated:-16.06.2020.

(Sham Lal),
Additional Sessions Judge,
Sangrur. (D)
[UID Number : PB0123]