

**IN THE COURT OF SH.TARSEM MANGLA,
SESSIONS JUDGE, PATIALA.**

(1)

BA No.1471/2022
CNR No.PBPT01-004753-2022
Bail Application No. 211 of 21.5.2022
Date of order: 05.07.2022

Sukhchain Singh aged 29 years son of Dalbara Singh, resident of village Fatehpur, PO Wazidpur, Distt. Patiala.

...Accused-applicant

Versus

State of Punjab.

..Respondent

Application under Section 438 Cr.PC for bail.

Present: Sh. AS Bindra, Advocate for the applicant-accused
Sh. Davinder Goyal, Public Prosecutor for the State
alongwith ASI Gurcharan Singh.

(2)

BA/1753/2022
CNR No.PBPT01-005689/2022
Bail Application No. 326 of 2.7.2022
Date of order: 05.07.2022

Jaspreet Singh @ Peeta aged 19 years son of Sh. Kuldeep Singh, resident of Village Fatehpur, Tehsil and Distt. Patiala.

...Accused-applicant

Versus

State of Punjab.

..Respondent

Application under Section 438 Cr.PC for bail.

Present: Sh. Amandeep Khaira, Advocate for the applicant-accused
Sh. Davinder Goyal, Public Prosecutor for the State
alongwith ASI Gurcharan Singh.

ORDER

By this order, this Court would deal with both the

applications, mentioned above, as both the applicants have sought anticipatory bail u/s 438 Cr.PC in connection with FIR No.245 dated 7.12.2021 u/s 323, 324, 341, 148 149, 325, 326 IPC, PS Passiana, Distt. Patiala. The applicant titled as Jaspreet Singh vs. State was presented during vacations and has been self entrusted for today. It be also registered.

2. On the last date of hearing, the matter was kept pending as at that time the opinion regarding nature of injuries was yet to be obtained.

3. The case was got registered on 7.12.2021 by Lakhbir Singh son of Karam Singh by stating that he is working as a caterer with a Private firm alongwith Paveen Singh son of Roop Singh. On 28.11.2021 at about 7.30 pm Gurdhian Singh of Village Wazidpur rang him up that he wanted to purchase some catering articles. Consequently, he alongwith Parveen Singh reached his shop where at 8.30 pm he found Gurdhian Singh wrapped in loi. While Parveen Singh was opening the shutter, all of a sudden Gurdhian Singh took baseball bat to attack him in his head. In the meantime his accomplices Gurpreet Singh carrying a kirpan, Jaggi's brother Chaini, Peetta resident of Village Fatehpur (applicant) and 4/5 unidentified persons reached to his help. He tried to run away but the abovesaid assailants waylaid him. Gurpreet Singh was carrying a kirpan, with which he attacked him on his left leg while rest of the assailants thrashed him while he was lying on the ground. Gurpreet Singh gave a kirpan blow towards his head. He raised the right hand and the kirpan landed on his right hand. Ultimately he fell unconscious. The abovesaid assailants thrashed Parveen Singh. Subsequently a talk regarding compromise had also been going on.

4. Initially the FIR was registered u/s 323, 324, 341, 148 149, IPC but on the basis of opinion, injury was declared grivous and as such offence u/s 325/326 IPC were also added.

5. At this stage, at the request of learned counsel for the applicant-accused offence u/s 325/326 IPC also allowed to be entered/added in the caption of the bail applications. Reader to make necessary addition.

6. Learned counsel for the bail applicant submits that there is

considerable delay in reporting the matter to the police. The story was concocted one. The complainant was discharged from the hospital and moreover there is no direct attribution either of the bail applicant. Principal accused Gurdhian Singh and Gurpreet Singh have already been arrested.

7. Learned counsel representing accused Jaspreet Singh further added that his client is acquainted with both the parties. The complainant owed some money to Jaspreet Singh. Name of the bail applicant was added only to usurp his money.

8. Opposing these arguments, learned Public Prosecutor for the State submitted that all the accused had been forming an unlawful assembly. They were carrying *dandas* and *sottas* with which they caused injuries to the complainant. All the injuries were caused with common intention to overawe the complainant. Ultimately the complainant was inflicted grievous injuries. Custodial interrogation of both the applicants as well is sufficiently indicated to recover the weapons.

9. I have given careful thought to these submissions. The facts and circumstances stated above constitute that an unarmed complainant was waylaid to cause him numerous injuries including grievous hurt on his nasal bone as well as on his left arm. Custodial interrogation as well is also indicated. At this stage alleged delay in approaching the police is irrelevant. Consequently finding no merit in the bail applications, the same are dismissed. Copy of order be placed in connected file. File be consigned to the record room.

Pronounced.
05.07.2022
Sanjeev Kumar, Stenographer Gr.I

(Tarsem Mangla)
District Judge,
Patiala.(UID PB0049)

BA/1753/2022 PBPT010056892022

JASPREET SINGH ALIAS PEETA VS STATE OF PUNJAB etc.

Present: Sh. Amandeep Khaira, Advocate for the applicant.
Sh. Devinder Goel, Public Prosecutor for the State.

Bail application was presented during vacations and has been self entrusted for today. It be registered.

Heard. Vide separate order of even date, the instant application alongwith the connected applications titled 'Sukhchain Singh vs. State of Punjab' BA/1471/2022 have been dismissed. Attested copy of that order be placed in this file. File be consigned to the record room.

Pronounced.
05.07.2022
Sanjeev Kumar, Stenographer Gr.I

Tarsem Mangla
Sessions Judge
Patiala. (UID No.PB0049)

BA/1471/2022 PBPT010047532022

SUKHCHAIN SINGH VS STATE OF PUNJAB

Present: Sh. AS Bindra, Advocate for the applicant.

Sh. Devinder Goel, Public Prosecutor for the State.

Heard. Vide separate order of even date, the instant application alongwith the connected application titled 'Jaspreet Singh alias Peeta vs. State of Punjab' BA/1753/2022 has been dismissed. File be consigned to the record room.

Pronounced.

05.07.2022

Sanjeev Kumar, Stenographer Gr.I

Tarsem Mangla

Sessions Judge

Patiala. (UID No.PB0049)