

**IN THE COURT OF SH.JASPAL VERMA,
ADDITIONAL SESSIONS JUDGE,
(UID:PB0136)
FAZILKA.**

Bail Application No.3695 of 2019
CIS No.BA-1733/2019
CNR No.PBFZC0-004728-2019
Date of Order: 23.9.2019

Sonu @ Harjinder Singh, aged 35 years son of Naranjan Singh,
resident of village Khuian Sarwar, Tehsil Abohar, District Fazilka.

..Applicant/Accused

Versus

State of Punjab.

..Respondent

FIR No.125 dated 9.9.2019
Under Section: 452/324/323/148/149 IPC
Police Station: Khuian Sarwar, District Fazilka.

Application for grant of bail under Section 439 Cr.P.C.

Present: Sh. S.K. Kamboj, Advocate for applicant/accused.
Sh. Gurbaj Singh, Addl. PP for respondent/State assisted
by Sh. Karan Maini, Advocate counsel for complainant.

ORDER

1. This order of mine shall dispose of regular bail application
moved by applicant/accused ***Sonu @ Harjinder Singh*** in this case

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bearing FIR No.125 dated 9.9.2019, under Sections 452/324/323/148/149 IPC registered at Police Station, Khuian Sarwar, District Fazilka. The instant case/FIR was registered by SHO, P.S. Khuian Sarwar on the basis of statement made by Davinder Singh against applicant/accused and his co-accused. The version has given in the FIR is that her sister-in-law (Saali) is married with Parvinder Singh @ Bhinda in his village and her sister-in-law is having two children i.e. one son and one girl. Gurkirat Singh aged about 17 years son of his sister-in-law, argued with Gurfaisan Singh @ Babba on 8.9.2019. Complainant visited the house of her sister-in-law to understand her son Gurkirat Singh. At about 5:30 PM, Gurbakhsh Singh son of Kashmir Singh armed with Kirpan, Gurfaisan Singh @ Babba armed with Kirpan, Gursewak Singh armed with Dang, Kuldeep Kaur wife of Gurbakhsh Singh empty handed and Sonu son of Niranjana Singh armed with Gandasi entered into the house of his sister-in-law by raising Lalkaras and Gurfaisan Singh gave Kirpan blow which hit on the backside of complainant from nook side. Then Sonu gave Gandasi blow which hit on the finger of right hand of complainant from reverse side. Then Gurbakhsh Singh gave Kirpan blow which hit on the right

side of forehead of complainant and complainant fell down on the earth. Gurbakhsh Singh gave fist blows to complainant on his chest and stomach and also torn the clothes of complainant. Gurkirat Singh alongwith his mother raised raula and accused persons fled away from the spot alongwith their respective weapons. On the basis of said statement present FIR was registered.

2. Upon notice, learned Addl. PP appeared on behalf of State assisted by Sh. Karan Maini, Advocate counsel for complainant and contested the bail application orally on the ground that the offence committed by applicant/accused is heinous in nature and therefore, he prayed that the bail application may kindly be dismissed.

3. I have heard learned counsel for the applicant/accused, learned Addl. PP for State assisted by Sh. Karan Maini, Advocate counsel for complainant and perused the police file brought by HC Sukhwinder Singh from police Station Khuian Sarwar, District Fazilka very carefully.

4. The perusal of the file shows that applicant/accused caused injury to complainant with Gandasi and nature of injury falling in Section 324 of IPC. He was arrested in this case on 12.9.2019 and

since then he is in judicial custody. Moreover, all offences are bailable one except offence under Section 452 of IPC. The presentation of the challan and its disposal is likely to take considerable time. No useful purpose will be served by keeping the applicant/accused in custody and rather it would be burdened upon the State exchequer. In these circumstances, applicant/accused ***Sonu @ Harjinder Singh*** is ordered to be released on bail in this case subject to his furnishing a personal bond in the sum of Rs.1,00,000/- with one surety in the like amount to the satisfaction of Trial Court/Ilaqa Magistrate/Duty Magistrate subject to the conditions to be imposed by the said court. Copy of this order be sent to Trial Court/Ilaqa Magistrate/Duty Magistrate for necessary compliance. Police record be returned. Copy of the order be sent to learned trial court for compliance. Bail application be consigned to the record room.

Pronounced in the open Court
Dated:- 23.9.2019
Deepak Kumar
Stenographer Gr.II

Sd/-
Jaspal Verma
Judge, Special Court
Fazlika/UID-PB-0136

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Present: Sh. S.K. Kamboj, Advocate for applicant/accused.
Sh. Gurbaj Singh, Addl. PP for respondent/State assisted
by Sh. Karan Maini, Advocate counsel for complainant.

Sh. Karan Maini, Advocate filed power of attorney on behalf of complainant. The learned counsel for applicant/accused filed an application for withdrawing the bail application in Section 326 of IPC. In view of the the circumstances mentioned in the application, the bail application stands dismissed as withdrawn in Section 326 of IPC.

Arguments heard. Vide my separate detailed order of even date, present bail application has been allowed. Police record be returned. Copy of the order be sent to learned trial court for compliance. Bail application be consigned to the record room.

Pronounced in the open Court
Dated:- 23.9.2019
Deepak Kumar
Stenographer Gr.II

Sd/-
Jaspal Verma
Judge, Special Court
Fazlika/UID-PB-0136