

**IN THE COURT OF MS SMRITI DHIR
VACATION JUDGE-CUM-ADDITIONAL SESSIONS JUDGE:
SANGRUR. (UID NO.PB0518)**

Registration No.1753/2019.

CNR No.PBSG01-005751-2019.

Decided on 27.06.2019.

Jaswinder Singh aged about 44 years son of Jagdev Singh R/o Village
Bamal, District Sangrur.

....Applicant.

Versus

State of Punjab.

F.I.R. No. 152 dated 08.06.2019.
Under Section 447/379/511/506 IPC
Police Station Sadar Dhuri

Bail application under Section 438 Cr.P.C.

Present: Shri GS Shergil, Advocate Counsel for the applicant.
Shri Navdeep Goyal, Addl. PP for the State assisted by Sh.
Sh. RS Deol, Advocate.

ORDER:

1. Bail application put up before me during Summer Vacation
being Vacation Judge. This is an **anticipatory** bail application filed on
behalf of **Jaswinder Singh (bail-applicant)** in an F.I.R. No. 152 dated
08.06.2019, Under Section 447/379/511/506 IPC, Police Station Sadar
Dhuri.

2. Notice of the bail application was issued to the State through

Smriti Dhir
Vacation Judge/ASJ,Sgr. 27.06.2019.

learned Addl. PP and the record has been requisitioned.

3. The Ld. Counsel for the applicant submitted that he has been falsely implicated in the present case and he has no concern or connection with the offences so alleged the applicant is ready to join the investigation and prayer was made for allowing of the bail application.

4. Per contra the Ld. APP for the State along with his counsel for complainant has contested the bail application on the ground that in the present FIR the father of the accused is the complainant and it is a classic example of neglect of old aged parent by the son. It was further submitted by the ld. Counsel that complainant is residing with his daughter and the accused is not letting his father reside in his old house. Generator and tractor are yet to be recovered. On the said ground prayer was made dismissal for the bail application.

5. As per the prosecution version complainant Jagdev Singh alleged that he has an agricultural property and his wife has expired in 2015 and in the 2018 he has started residing with his daughter Rajinder Kaur and he has given all his agricultural land to his son Jaswinder Singh on lease. Since his son has not paid the complete lease amount, he has told his son to stop sowing the crop and from the next paddy season he only will cultivate the land. It was further alleged that on 06.06.2019, he has parked his tractor bearing registration No. PB-31-3328 at his house and has informed his son that from now towards he will only cultivate his land. On 08.06.2019, when complainant went to get his tractor for

cultivating his land then it surfaced that tractor was not there at his house and in search of his tractor when complainant reached at his land on Jatti Majre Road, there he saw his son cultivating the land. On his asking, his son has threatened the complainant of his life and threatened him of life threatening consequences.

6. From the perusal of the record, it transpires that the accused is the son of the complainant. The investigation so far reveals the complicity of the present accused. It is too pre-mature to appreciate the improbability of the prosecution story and probable defence. From the nature of accusations made in FIR, it cannot be said that it contain false averments. Granting of such a concession to a person would amount to negating and thwarting the enhancement of cause of criminal justice. Generator and tractor are still to be recovered. The custodial probe of the present application is very much required for the proper investigation in the present case. Thus keeping in view the gravity of the offence I am of the considered opinion that applicant is not entitled to grant of bail. Accordingly, the present bail application is dismissed.

Police file be returned. File be consigned to record room.

Pronounced in open Court on 27.06.2019.

Kulwant Singh Stenographer-1.

Smriti Dhir
Vacation Judge-cum-Additional
Sessions Judge, Sangrur.
(UID No.PB0518)

Smriti Dhir
Vacation Judge/ASJ, Sgr. 27.06.2019.

