

In the court of Ranjit Kumar Jain,
Additional Sessions Judge,
Patiala.(PB0077)

BA No.1728/2021
CNR No. PBPT010054532021
Date of Decision: 31.5.2021

Sharamnindervir Singh @ Sharry aged about 26 years son of Gurmit Singh resident of Todarwal, Police Station Bhadson, Tehsil Nabha, District Patiala.

.....Applicant/accused

Versus

State of Punjab

....Respondent

FIR No. 104 dated 8.9.2019
U/s 302,506,34 IPC & Section 3(1) of S.C & S.T Act,
Police Station: Bhadson, District Patiala.

Application U/s 439 of Cr.P.C for grant of regular bail.

Present: Sh. Sarabjit Singh Waraich, Advocate for applicant-accused.
Sh. K.S. Bajwa, Addl. Public Prosecutor for State

ORDER

1. This order of mine shall dispose of bail application moved by applicant/accused, under Section 439 Cr.P.C for grant of regular bail in the above mentioned case on the grounds that prima-facie no case is made out against applicant and applicant is innocent person and has not committed any offence. Applicant has been falsely implicated in this case and is in custody since 8.9.2019. Applicant is only son of his aged parents as his sisters live in foreign land. Mother and father of applicant remained sick and there is no one to look after them. Several witnesses in this case have

Ranjit Kumar Jain,
Addl. Sessions Judge/Pta
31.5.2021

already been examined and all the private witnesses have been examined and Jagtar Singh has been examined partly. Jagtar Singh has been provided security by the police. Therefore, there is no apprehension of tampering with evidence by the applicant/accused, if released on bail. Official witnesses remained to be examined and it may take long time to conclude the trial. The conditions in the jail due to Covid-19 are not congenial throughout the country. Accused/applicant owns landed property within jurisdiction of this court and there is no apprehension of his absconding. Applicant undertaken not to leave India without prior permission of the court not to tamper with the evidence and to abide by all the conditions imposed by the court. Prayer is made for allowing the bail application.

2. Notice of bail application given to the State.

5. As trial is pending in this court so file of this court is called and same is perused. The accused/applicant has been charge sheeted for offence punishable under Section 302,506 of IPC and 3(1) SC & ST Act. In this case till date as many as 17 witnesses have been examined and some of the witnesses have been given up by learned Addl. PP. It is pertinent to mention that one of the witness Jagtar Singh has given application that he is having threat, so under Witness protection scheme, he has been provided security. Another eye witness Raj Singh has also given similar application and that is pending before SSP, Patiala to decide if he has to be provided security or not. As already two witnesses have

Ranjit Kumar Jain,
Addl. Sessions Judge/Pta
31.5.2021

apprehended insecurity being witnesses and in such circumstances if applicant/accused would be released on regular bail then threat perception will be more grave to the witnesses. Moreover, the offences for which accused has been charge sheeted are quite serious offences and I do not see any justification to grant regular bail to the applicant/accused, which is hereby dismissed. Copy of this order be placed in the main file, where as bail application file be consigned to the record room.

Date of Order: 31.5.2021
jaspal singh stenographer-II

Ranjit Kumar Jain
Addl. Sessions Judge, Pta
UID NO. PB0077

Ranjit Kumar Jain,
Addl. Sessions Judge/Pta
31.5.2021