

In the Court of Sandeep Kumar Singla, Additional Sessions Judge,
Hoshiarpur. (UID No.PB-0118).

Bail application No.4194 of 2019
CIS No.1741 of 2019
CNR No.PBHO01-007474-2019
Date of Order: 1.8.2019

Jatinder Kumar @ Nitty, aged 32 years son of Gurnam Singh, resident of
Village Manolian, Police Station Mahilpur, District Hoshiarpur.

.....Applicant/accused.

Versus

State of Punjab

.....Respondent.

(Application for Regular bail).

FIR No.79 of 19.6.2019.
Under Section 307 of IPC.
Police Station Mahilpur, HSP.

Present: Shri J.B.S Gill, Counsel for applicant-accused.
Shri Satnam Singh, Additional PP for the State.

ORDER:

Applicant Jatinder Kumar @ Nitty is seeking regular bail in case
FIR No.79 dated 19.6.2019, under Section 307 of IPC, Police Station
Mahilpur, Hoshiarpur.

2. It is pleaded that the applicant is innocent and has been falsely
implicated in this case. There is inordinate delay in lodging the report with the
police. The occurrence took place on 14.6.2019 while FIR was registered on
19.6.2019. On 15.6.2019 itself, injured was declared fit to make statement but
he did not make his statement. He undertook to abide by terms of bail and
prayed for releasing him on bail.

3. Upon notice Learned Additional PP for the State did not file but

opposed the bail application orally.

4. I have heard the arguments of Learned Counsel for applicant-accused as well as Learned Additional PP for the State. As per allegations, on 14.6.2019, complainant Sukhdev Singh was returning to his home on foot. When he reached turning point in front of gate of Gurnam Singh of Village Manolian, then Jatinder Kumar @ Nitty was standing there. He was wearing gloves in his hands and having one Banja (wooden stick) with cloth wrapped on one side of it. He threw some inflammable material upon him and put the cloth wrapped on Banja on fire and put him on fire. Jagtar Singh uncle of complainant was standing at a distance. Complainant raised noise. His uncle came and snatched Banja from Jatinder Kumar and saved him. Fire had caught his both foot, on left flank and left hand. He was taken to Hospital at Mahilpur. Reason for grudge was that FIR was registered against the accused under Section 354 IPC and section 8 of POSCO Act in which he (complainant) was helping the complainant party. On 15.6.2019, he could not give statement as he was under the influence of medicines and on 19.6.2019, when he was going to police station to report the matter, police party met him in the way and he got recorded his statement. The FIR was registered on 19.6.2019 and accused was arrested on 20.6.2019.

5. Learned counsel for the applicant argued that all the injuries are superficial in nature and none of the injury has been declared dangerous. There is delay in lodging the FIR. The applicant-accused is in custody since

long and he should be released on bail. Learned Additional PP for the State, on the other hand argued that the allegations against the applicant-accused are very serious. He tried to burn the complainant, as such he should not be released on bail.

6. Now from the facts, it came out that the accused was facing trial in case under Section 354 of IPC and section 8 of POSCO Act. The complainant was helping the other party. Though, it is stated that the accused had been acquitted in that case but the complainant has given specific reason for the grudge. Applicant-accused had tried to burn the complainant by putting some inflammable material on him. Luckily, complainant did not get many serious injuries but act of the accused clearly shows that he had intention to kill the complainant. The allegations against the applicant-accused are very serious. There is every possibility that applicant-accused may abscond or try to influence the witnesses, if released on bail at this stage. The applicant-accused in these circumstances is not entitled to be released on bail. Thus, the bail application filed by the applicant-accused Jatinder Kumar @ Nitty being without merits is hereby dismissed. Record be returned and papers be consigned to the record room.

Announced in open Court:
Dated: 1st August, 2019.
'Gautam Manocha, JW (SG)'

(Sandeep Kumar Singla),
Addl. Sessions Judge,/Hoshiarpur.
(UID No.PB-0118).

Jatinder Kumar @ Nitty Versus State. BA-1741-2019.
(CNR No.PBHO01-007474-2019).

Present: Shri Shri JBS Gill, Counsel for applicant-accused.
Shri Satnam Singh, Additional PP for the State.

Arguments on bail application heard. Vide my separate detailed order of even date, the bail application filed by the applicant-accused Jatinder Kumar @ Nitty under Section 439 Cr.P.C is hereby dismissed being without merits. Record be returned and papers be consigned to the record room.

Announced in open Court:

Dated: 1st August, 2019.

‘Gautam Manocha, JW (SG)’

(Sandeep Kumar Singla),
Addl.Sessions Judge,/Hoshiarpur.
(UID No.PB-0118).