

**IN THE COURT OF MANDIP SINGH DHILLON, ADDITIONAL
SESSIONS JUDGE, MANSA.**

Case Type : BA (Bail Application)
CIS Case No. : BA/1757/2022
CNR No. : PBMN010052132022
Date of registration : 22.12.2022
Date of Decision : 16.01.2023

State

Versus

Lakhwinder Singh Babe ka aged about 25 years, son of Darshan Singh son of Gurbachan Singh, resident of Ward No.13, Bhikhi, District Mansa, now in custody at District Jail, Mansa.

Second Bail application under section 439 Cr.PC for grant of regular bail to the applicant in case FIR No. 21 Dated 14.02.2021, under section 325, 323, 148, 149 IPC and 308 (enhanced later) Police Station Bhikhi, District Mansa.

Present: Sh. G.S. Chahal, Advocate, Ld. counsel for
applicant/accused.
Sh. H.R. Goyal, Addl.P.P for the State.

ORDER:

1. Accused/ applicant Lakhwinder Singh has filed the present second bail application under section 439 Cr.PC for grant of regular bail in case FIR No. 21 Dated 14.02.2021, under section 325, 323, 148, 149 IPC and 308 (enhanced later) Police Station Bhikhi, District Mansa.
2. Accusation leading to the registration of the FIR above said, are that the present case was registered on the statement of complainant Gaurav Garg to the effect that he alongwith his friends Sunny and Jugnu

Singh had gone to purchase shoes from the 'Shoes Hut' situated near the Municipal Committee. When they returned after purchasing the shoes and reached near Municipal Committee, accused Labhi, Lakhwinder Singh, Happy, Bhujia and 2/3 unknown persons were present on the roof of the shops situated in the market. They started abusing the complainant and his friends. Accused came towards the complainant and his friends. Lakhwinder Singh hit beer bottle on the head of Sunny. When complainant came forward, then Lakhwinder Singh hit the beer bottle on the eye of the complainant. Accused Labhi, Bhujia, Happy and ¾ other unknown persons started hurled bricks towards them. One bricks hit on the head and finger of the complainant. Complainant and his friends entered in a shop to save themselves. They raised alarm, on hearing which, number of persons gathered at the spot. Accused persons fled away from the spot. On this narration, police came into action.

3. It was argued on behalf of the applicant/accused that applicant/accused is innocent person. He has been falsely implicated in the present case. Applicant/accused is custody since 30.03.2022. On these averments besides usual grounds the applicant/accused was asked for to be released on bail.

4. The application has been opposed by the learned Addl. PP for the State.

5. I have heard the arguments of learned counsel for the applicant/accused, learned Addl. PP for the State and have gone through the police record with their able assistance.

6. As per case of prosecution, applicant/accused Lakhwinder Singh hit beer bottle on the head of Sunny and on the eye of the complainant. The offence committed by the applicant/accused is heinous in nature. First bail application of the applicant/accused was dismissed by this court vide Order dated 12.10.2022. The police has submitted the Report under Section 173 Cr.P.C. in the Court of Ld. Illaqa Magistrate. No new ground is made out to admit the applicant/accused on bail. The possibility of influencing of the witnesses if applicant/accused is enlarged on bail cannot be ruled out. The offence alleged to be committed by the applicant/accused is serious in nature. So, I do not find any merits in the present bail application as there are serious allegations against the applicant/accused as discussed above. Accordingly, present bail application of Lakhwinder Singh stands dismissed. Record be returned and record of bail application be consigned to record room after due compilation.

Pronounced

Dated: 16.01.2023

**(Mandip Singh Dhillon),
Addl. Sessions Judge, Mansa.
(UID: PB0115)**