

**IN THE COURT OF KAWALJIT SINGH,
ADDITIONAL SESSIONS JUDGE, TARN TARAN.
(UID Number PB-0155)**

Case Type	Bail Application
Filing Number	2886/2021 Filing Date: 22.06.2021
Registration Number	1734/2021 Date of Registration: 23.06.2021
CNR Number	PBTT0100-4007-2021
Date of Decision	06.07.2021

Jasbir Singh son of Piara Singh, resident of village Marhana, Police Station Chohla Sahib, District Tarn Taran.

---Applicant/accused

Versus

State of Punjab

---Respondent

FIR No.53 dated 22.05.2021
Under Section 295-A, 323, 506, 148, 149 of IPC
Police Station, Chohla Sahib

**Bail application in the cross version registered vide DDR No.45
dated 23.05.2021 under Sections 452, 323, 324, 427, 148, 149 of IPC**

SECOND BAIL APPLICATION UNDER SECTION 438 Cr.P.C.

Present: Shri P.P.S. Gill, counsel for the applicant-accused
Shri Ashok Kumar, Additional Public Prosecutor for State

ORDER

Applicant has filed the instant second bail application under Section 438 of Cr.P.C., seeking anticipatory bail in the above noted case.

2. The present DDR has been got registered on the statement of complainant Ram Baldev Singh, who stated that he works as a private driver. His elder brother namely Sawinderpal Singh has died and eldest is namely Surjit Singh. All the three families reside in the same house in separate rooms. There is only one main gate of their house. On 21.05.2021, at about 08:30 P.M., when the bulb of his house was on and there was also light in the street, then he came out in the street to have a walk after taking the dinner. He saw in the street his co-villagers namely Gurbal Singh armed with rod, Gurbakhsh Singh armed with baseball bat, Lovepreet Singh alias Labha

armed with Kirpan, Jasbir Singh armed with dang, Akashdeep Singh armed with Datar, Jugraj Singh armed with Kirpan, Pargat Singh armed with dang, Tarsem Singh holding brickbats, Gurjant Singh armed with Kirpan, Gehal Singh armed with Dang were coming towards him while raising lalkara. Upon coming nearing to him, Gehal Singh raised lalkara to catch hold of him to teach him a lesson for stopping them from playing card games near his house in the Khahi. Hearing the lalkara Gurbakhsh Singh gave a baseball bat blow towards him, when he raised his left arm to ward off the attack, it hit his arm. He out of fear quickly ran inside his house. All the accused, with their weapons, followed him and entered his house. His nephew Karandeep Singh and Gagandeep Singh came forward to his rescue. Then Lovepreet Singh gave a Kirpan blow, which hit on the left hand of Karandeep Singh., Gurpal Singh gave a rod blow to his nephew Gagandeep Singh on his backside of his shoulder. Pargat Singh gave a dang blow again to Gagandeep Singh, it hit on the backside of his left shoulder. When his niece Mandeep Kaur came forward to rescue them, then Jasbir Singh gave a dang blow, which hit on the left eyebrow. Tarsem Singh pelted stones and smashed the windowpane of the room. They raised alarm, which attracted the neighbours, who started gathering there. Seeing the gathering, all the accused after giving threats ran away from the spot.

3. It is argued by the learned counsel for the applicant that earlier applicant could not join the investigation as the previous counsel did not inform him about the order of this court as such the bail application was dismissed. It is submitted that applicant is ready to join the investigation and will co-operate with the same. Therefore, it is prayed that applicant be granted anticipatory bail.

4. Learned Additional Public Prosecutor for the respondent State has opposed the bail application. It is submitted that a person like applicant who has no respect to obey the order of the court is not entitled for discretionary relief of anticipatory bail. It is submitted that the applicant was armed with a dang and that also is to be recovered and prayed that this application may kindly be dismissed.

5. I have heard the contentions of both the parties.

6. From the perusal of the record that the applicant vide order dated 10.06.2021 passed by this court was granted interim relief and was directed to join the investigation, but, the applicant in utter disregard to the directions given, intentionally did not comply with the orders and his first bail application was dismissed. Keeping in view the conduct of the applicant, the applicant is not found entitled for the grant of anticipatory bail as being prayed for. As such, this present second bail application of the applicant stands dismissed. Observations made herein above shall not be construed as an expression on the merits of the main case. The bail application file be placed on record/consigned to the record room.

Announced: 06.07.2021

Dalip Kumar Stenographer

Kawaljit Singh
Additional Sessions Judge
Tarn Taran
UID Number PB-0155