

CNR No. PBFZ0100-4530-2019

B.A. No.417 of 10.09.2019

CIS No.BA-1740/2019

Date of Order: 16.09.2019

(Application for bail under Section 438 of Cr.P.C)

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Present: Sh. Adish Kumar Adv., counsel for applicant/accused.

Sh. Rajiv Chaudhary, Addl.PP for the State.

O R D E R

1. Heard on the bail application moved by applicant/accused Jagdish Kumar, under Section 438 of Cr.P.C, pertaining to FIR No.71, dated 16.08.2019, under sections 341,452,323,324,427,148,149 IPC, Police Station, Lakho Ke Behram, wherein learned Additional PP for the State has opposed the same on the ground that there are serious allegations against the applicant/accused.

2. Perusal of the FIR as well as police record shows that no specific injury has been attributed to the applicant/accused and at the same time, only one injury has been shown to complainant Gurwinder Singh, which has been attributed to the main accused/non-applicant Kuldeep Singh, who had given kirch blow and other co-accused Charanjit Singh and Narinder Singh caught hold the complainant

Gurwinder Singh from his hands alongwith the fact that he is still in the hospital and final report is yet to be received.

3. While taking into consideration the aforesaid facts and circumstances and that no injury is attributed to the applicant/accused, although he was armed with baseball bat; alongwith fact that there are no chances of tampering of prosecution evidence and no possibility of the applicant/accused to flee from justice, therefore, in the event of arrest of applicant/accused in the case in hand, he shall be released on interim bail to the satisfaction of Arresting Officer/Investigating Officer. The applicant/accused shall comply with the provisions of section 438 (2) Cr.P.C and he shall join the investigation pertaining to the case in hand within 07 days from today.

4. Now to come up on 23.09.2019 for further proceedings and consideration. Anything said in this order shall not affect the merits of the main trial in any manner. Police record be returned and the same be again produced on the date fixed.

Pronounced in open Court.
Dated: 16.09.2019
yashpaul

Sd/-(Sachin Sharma)
Addl.Sessions Judge,
Ferozepur