

IN THE COURT OF SARBJIT SINGH DHALIWAL,
SESSIONS JUDGE, MOGA.

UID No. PB0070

C.I.S No.	BA/1745/2024
C.N.R. No.	PBMO0-100-4419-2024
Date of Institution	06.08.2024
Date of Order	12.08.2024

State of Punjab

Versus

Jaspal Singh aged about 40 years son of Sadhu Singh, resident of Village
Burj Dunna, Tehsil Badhni Kalan, District Moga.

..... Accused/Applicant

F.I.R. No.57 dated 11.06.2024
Under Sections: 323, 452, 149 IPC
Police Station: Badhni Kalan.

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Bail application under Section 482 BNSS.

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Present:- Shri Amit Mittal, Advocate, counsel for applicant-accused.
Ms.Neelam Pathak, Public Prosecutor for the State assisted by
Shri Rupinder Singh Brar, Advocate, for complainant.

ORDER

ASI Harjinder Singh, no.221/Moga, is present along with record
pertaining to this bail application.

2. Arguments heard. It is argued by learned counsel for applicant-
accused that it is a case of version and cross-version. Same fact has been
admitted by learned Public Prosecutor present in the court. Whereas
admittedly all the offences alleged to have been committed by the applicant
are bailable in nature, except the offence under Section 452 IPC.

So far as the offence under Section 452 IPC is concerned, it is
alleged by the counsel for complainant that it is the applicant, who along

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with co-accused trespassed into his home and caused them injuries. Whereas, it is the allegation of the applicant that it is the complainant party, who along with co-accused trespassed into their home and in this regard, he has also annexed pen drive of the occurrence. Whereas, it is debatable issue, whether, offence took place in the house of applicant or in the house of complainant and that controversy will be adjudicated during trial after appreciation of evidence and it will also be seen lateron, who are the aggressors and who are the defenders.

However, applicant-accused is ready to join the investigation and co-operate in the same. As such, a prima facie case fit for anticipatory bail is made out, so, applicant is allowed relief of anticipatory bail and directed to join the investigation on or before 15.08.2024, subject to the following condition(s):

1. *That the applicant shall make himself available for interrogation by a police officer as and when required.*
2. *That the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the court or to any police officer.*
3. *That the applicant shall not leave the country without prior permission of the Court.*

Thereafter, Investigating Officer shall submit the report on 16.08.2024.

Pronounced: 12.08.2024
Ashwani, Stenographer-Gr.I

(Sarbjit Singh Dhaliwal)
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