

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

Case Type : BA (Bail Application)
CIS Case No. : BA/1673/2022
CNR No. : PBMN010050022022
Date of registration : 09.12.2022
Date of Decision : 17.12.2022

Anshpreet Singh @ Happy aged about 30 years, son of Mohan Lal, resident of village Ahalupur, Tehsil Sardulgarh, District Mansa.

Bail application under section 438 Cr.PC for grant of anticipatory bail to the applicant in case FIR No. 76 Dated 18.05.2021 under section 324, 323, 506, 148, 149 IPC and u/s 326 IPC (enhanced later), Police Station Sardulgarh, District Mansa.

Present: Sh. Randeep Sharma, Advocate, Ld. counsel for applicant/accused.
Sh. Sukhraj Singla, Ld. Addl.P.P for State.

ORDER:

1. Accused/ applicant Anshpreet Singh has filed the present bail application under section 438 Cr.PC for grant of anticipatory bail in case FIR No. 76 Dated 18.05.2021 under section 324, 323, 506, 148, 149 IPC and u/s 326 IPC (enhanced later), Police Station Sardulgarh, District Mansa.

2. Briefly stated case of prosecution is that complainant Dilbagh Singh got recorded his statement claiming that on 17.05.2021 at about 11.45, he alongwith his wife Sangita were going towards Bus Stand, Ahlupur. When they reached near the Dharamshala of village, Lakhwinder Singh, Sunil Kumar, Happy and two unknown persons were

sitting on the roof of Dharamshala and were having brick bats. They threw brick bats towards them. They saved themselves by hiding under roof of bathrooms. Many persons gathered there. He alongwith Kuldev Singh was going to inform the police. When they were about 200 meters behind the Dargah, above said persons encircled them. Kuldev Singh ran away from the spot. Sunil Kumar gave gandasi blow towards of complainant which hit on his left arm. Lakhwinder Singh gave gandasi blow on chest of complainant. Happy gave sticks blows on back of complainant. One unknown person gave iron pipe blow on right elbow of complainant and other unknown person slapped him. Complainant raised alarm. All the assailants fled away from the spot. On this narration, police came into action and registered present case.

3. It was argued on behalf of the applicant/accused that applicant/accused have been falsely implicated in this case. Offence u/s 326 IPC was enhanced later. No recovery is to be effected from the applicant/accused. On these averments besides usual grounds the applicants/accused were asked for to be released on anticipatory 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. By going through the police file, it reveals that at first stage FIR against the accused was recorded under Section 324, 323, 506,

149 and 149 IPC. Offence u/s 326 was enhanced later. ASI Makhan Singh came present in the Court and suffered statement that no recovery is to be effected from the applicant/accused. Offence u/s 326 IPC was enhanced vide DDR No.41 dated 07.10.2022, after about one year five months from registration of the FIR. No recovery is to be effected from the applicant/accused. Without commenting upon the merits of the case, applicant/accused Anshpreet Singh @ Happy is directed to join the investigation within 4 days from today and in that event, applicant/accused shall be released on interim bail on furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount by the investigating officer/arresting officer, subject to the conditions that he make himself available for interrogation by the Investigating Officer as and when required; that he will not directly or indirectly make any inducement, threat or promise to any person connected with the facts of the case so as to dissuade him from deposing such facts before the Court or any police officer; and that he will not leave India without prior permission of the Court.

If the applicant/accused failed to join the investigation with the police within given time, then this order will cease to operate.

Let report be awaited till 22.12.2022.

Pronounced

Dated: 17.12.2022

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

(Avinash)