

CNR No. PBSG01005625-2019

BA -1683 -2019

State Versus Aman etc.

FIR No.57 Dated 29.05.2019.

U/s 452, 323, 148, 149 IPC.

Police Station: Khanauri.

Present: Shri Parmanand Sharma, Advocate, counsel for applicant Aman and Rahul.
Shri K.S.Saini, Additional PP for the State.

ORDER

Being Vacation Judge, the Bail Application is put up before the undersigned during summer vacation.

2. The applicants-accused have filed this Bail Application under Section 439 Cr. P. C. for releasing them on regular bail.

3. Notice of the bail application was given to State. The learned Additional PP for the State, made appearance on behalf of the State and got produced the record.

4. I have heard the learned Counsel for applicants-accused, Additional PP for the State and also perused the record.

5. It is submitted by the applicants as well as argued by their counsel that no offence has been committed by the applicants. They are in custody since 30.05.2019. From the bare reading of FIR, the grudge is shown against co-accused Sunil only regarding some money dispute with the complainant. The accused were not armed with any deadly weapon.

Smriti Dhir,
Vacation Judge/ASJ Sgr.20.06.2019.

No injury has been attributed to the applicants-accused. They have been falsely implicated in the present case due to political pressure. Nothing is to be recovered from them. The presentation of challan and completion of trial will take long time. They are ready to abide by all the conditions to be imposed by the Court. Hence, the prayer for relief of regular bail.

5. On the other hand, while controverting his contentions, the learned Additional PP for the State has vehemently argued that as allegations against the applicants are grave in nature, they do not deserve the leniency of the Court in grant of relief of regular bail.

6. As is transpired from the record, the FIR was got lodged on the basis of statement of Rohit Singla. Allegedly, his father was running a shop on the main road Khanauri while their residence was at the back side of shop. On 29.05.2019, he along with his servant Ajay Kumar were sitting on the shop of his father. At about 10.45 am, Sunil @ Sonu, Goru, Sandeep, Sanjay, Rahul son of Dharminder Singh, Aman and Rahul son of Jarnail Singh (**present applicants**) possessed with Dangs suddenly entered their shops and started beating them. Sunil @ Sonu raised a Lalkara to teach lesson for taking money from him. Upon this, Sandeep gave a blow of Dang which hit on his nose. As Ajay Kumar came to his rescue, Sonu @ Sunil gave blow of Dang which hit the finger of his right hand. Goru gave blow of Dang on the right elbow of Ajay Kumar while Rahul son of Jarnail Singh (**present applicant**) gave blow of Dang on the back of Ajay Kumar. Aman, Sanjay and Rahul kept on saying to beat

them and they should not be spared today. As they raised clamour, people got collected there and the assailants fled from the spot along with their respective weapons. His father also came there and took them to hospital.

7. The allegations against the present applicants are grave in nature. So far the averments/contentions of the learned counsel for applicant are concerned, those are matters to be appreciated only after taking evidence during trial. At this stage, it is too early to jump to any conclusion for the purpose of bail. The matter is still pending investigation and challan is yet to be presented. Therefore, there is every likelihood that if granted bail, the applicants may attempt to hamper the process of the investigation/trial in one way or the other. Without further commenting on the merits of the case and in view of the serious allegations against the present applicants including the manner in which the injuries have been inflicted on the person of complainant, the Court is of the opinion that at this stage, the applicants-accused are not entitled to the concession of bail. Consequently, the bail application is **dismissed**.

Police record be returned. Bail papers be consigned to the Record Room, Sangrur.

Announced in open Court.

Dated: 20.06.2019.

Kulwant Singh Stenographer.

Smriti Dhir,
Vacation Judge/Additional Sessions Judge,
Sangrur (UID-PB0518).

Smriti Dhir,
Vacation Judge/ASJ Sgr.20.06.2019.

