

Ranjit Singh @ Riti Versus State BA No.2323-2019.
(CNR No.PBHO01-009441-2019).

FIR No.216 of 27.8.2015.
U/ss 307,186,353,332,148,149, 379,
379-B IPC & Sec 21 (1) of Mining Act.
Police Station Tanda, Hoshiarpur.

Present: Shri R.S Abhi, Counsel for applicant-accused.
Shri Satnam Singh, Additional PP for the State.

ORDER:

Applicant-accused Ranjit Singh @ Riti is seeking regular bail in FIR No.216 dated 27.8.2015, under Sections 307, 186, 353, 332, 148, 149, 379 & 379-B of IPC and Section 21 (1) of Mining Act pertaining to Police Station Tanda, Hoshiarpur. It is pleaded that the applicant-accused has been falsely implicated. He was earlier granted anticipatory bail which was absolute on 9.10.2015 by the Court and thereafter challan was presented in the absence of applicant-accused but no notice was given to him. Said order is still stands. Later on, he was wrongly declared as P.O on 28.5.2019. He was arrested on 17.7.2019 and since then he is in judicial custody. It will take long time for conclusion of trial. He undertook to abide by the terms of bail and prayed for releasing him on bail.

2. Upon notice, Learned Additional PP for State did not file reply, rather, he opposed the bail application.

3. I have heard the arguments of Learned Counsel for applicant, Learned Additional PP for State and have perused the record carefully. The FIR in this case was registered on the statement of complainant HC Kuldeep Singh, P.S Tanda. It is stated that on 26.8.2015, he alongwith PHG Hem Raj were present at Village Mewa Miani for checking of illegal mining. At about 12.00 midnight, they saw two tractor-trolleys loaded with sand coming from river side and on seeing the police party, they turned back the tractor towards backside but they were apprehended near

Abdullahpur. Police party also spotted many other tractor-trolleys filling sand through illegal mining. Complainant stated that when he stopped his motorcycle, about 20 persons i.e. Sukha Singh, Des Raj, Raju etc were standing there duly armed with Iron rods and wooden sticks. All the accused gave beatings to them with Iron rods and wooden sticks with intention to kill them and complainant received injuries on his left hand and left eye besides internal injuries. Hem Raj also sustained injuries and they tore their uniforms. Accused also snatched their purse, mobile phones and keys of motorcycle and also prepared video on mobile phone. Then he informed police of Police Station Dasuya and police officials got them admitted in the Civil Hospital, Dasuya. Accordingly, FIR was registered.

4. Learned counsel for the applicant-accused has argued that no injury has been attributed to the applicant and he has been falsely involved in this case. On the other hand, Learned Additional PP for State has argued that accused has been booked under Sections 307, 186, 353, 332, 148, 149, 379 & 379 B of IPC and under Section 21 (1) of Mining Act, which are serious offences, as such applicant-accused is not entitled to concession of bail. However, the applicant-accused was already on bail and he joined the investigation. After he declared P.O, the applicant-accused was arrested on 17.7.2019 and since then he is in custody. Without commenting on merits of the case, there is no purpose to detain the applicant-accused behind the bar, rather it will be burden on the State Exchequer. The conclusion of trial will take time. Thus, application for grant of regular bail filed by applicant Ranjit Singh @ Riti is allowed and he is ordered to be released on bail subject to his furnishing personal bond in the sum of Rs.1,00,000/- with one surety of the like amount subject to the conditions that he shall appear in the court on each and every date of hearing; that he will not leave India without prior permission of the court and that he shall not tamper with evidence of prosecution. File be attached with the main trial pending in this Court.

Announced in open Court:
Dated: 1st October, 2019.

‘Gautam Manocha, JW (SG)’

(Sandeep Kumar Singla),
Addl.Sessions Judge,/Hoshiarpur.
(UID No.PB-0118).