

IN THE COURT OF RAKESH KUMAR,
UID No. PB-0138,
ADDITIONAL SESSIONS JUDGE,
KAPURTHALA.

CNR No.
PBKP010034712023



Case No. BA/1429/2023

Presented on : 13-07-2023

Registered on : 14-07-2023

Decided on : 02-08-2023

Ranjit Singh @ Ghanti @ Mani, s/o Surinder Singh, aged about 24 years,
r/o Gali No.2, Mohalla Santpura, Police Station City Kapurthala and 2nd
address r/o Village Kahlwan, District Kapurthala.

..... Applicant/accused.

Versus

State of Punjab.

..... Respondent.

FIR No.230 of 21.07.2020,
Under Sections 307, 324, 341, 148, 149 of Indian Penal
Code,
Police Station – City, Kapurthala.

Application for bail under Section 439 Cr.P.C.

Present: Sh.H.S.Dhillon, Advocate counsel for the applicant/
accused.
Ms.Aarti Mehta, Additional PP for the State.

O R D E R

Record perused. **Arguments have been heard** on regular
bail application of present applicant/ accused Ranjit Singh @ Ghanti @
Mani in FIR No.230 of 21.07.2020, who is stated to be in judicial custody

in this case since 13.03.2023.

2. The learned counsel for the applicant has argued that he has been falsely implicated in the present case. He is in judicial custody since long. The matter has already been compromised between the parties. No recovery has been effected from the applicant nor anything is to be recovered from him. The conclusion of trial will take a long time. So, he cannot be detained for indefinite period. Co-accused are already on bail. There is no direct or indirect evidence against the applicant. So, the applicant is entitled to the concession of regular bail.

3. On the other hand, the learned Additional PP for the State has argued that in view of the gravity of offence, the applicant/ accused is not entitled to the concession of regular bail. There are serious allegations against the applicant/ accused in the present case. The said allegations could not be diluted by way of compromise. So, the present regular bail application under reference is liable to be dismissed.

4. I have heard the submissions made by learned counsel for the applicant/ accused and learned Addl. PP for the State.

5. The present FIR was registered at the instance of Sumit Kumar with the allegations that on 13.07.2020 at about 10.00 PM, complainant, along with his younger brother Rajat Kumar, was returning from the house of his maternal aunt through Gali No.5. However, as and when they reached at Gali No.2, they witnessed the presence of Ghanty @ Mani armed with sickle, Onkar Singh armed with sickle, Pargat Singh

armed with sickle and Jatt armed with sickle. The aforesaid persons along with three unknown persons, encircled the brother of complainant namely Rajat Kumar. Then aforesaid Onkar Singh raised a slogan to teach a lesson to him and on which, said Ghanty @ Mani gave sickle blow with intention to kill, on the head of said Rajat Kumar brother of complainant Sumit Kumar. He fell down on the street and blood started oozing out. The aforesaid assailants also gave kick and fist blows to said Rajat Kumar. However, on raising clamour by the complainant, people started gathering at the spot and all the assailants ran away from the spot with their respective weapons. The said Rajat Kumar was removed to Civil Hospital from where, he was referred to Jalandhar due to his serious condition. The motive behind the occurrence was some earlier dispute between Onkar and brother of complainant.

6. Admittedly, there are serious and direct allegations against the applicant/ accused Ranjit Singh @ Ghanti @ Mani in the present case that he gave his sickle blow with intention to kill the brother of complainant namely Rajat Kumar on his head, which has been declared grievous and dangerous to life. There are further allegations that due to said injury, Rajat Kumar fell on the ground and blood started oozing out. Thus, there are serious and specific allegations against the applicant/ accused Ranjit Singh @ Ghanti @ Mani in the present case that he being main accused gave head injury at the person of Rajat Kumar. Moreover, any such compromise is nothing to dilute that serious and direct

allegations against him. Therefore, in view of aforesaid allegations, the applicant/ accused is held not entitled to the concession of regular bail and it is liable to be dismissed.

7. Consequently, without commenting on the merits of the case, the present regular bail application of the applicant/ accused Ranjit Singh @ Ghanti @ Mani is, hereby, declined and disposed off. However, any observation made herein shall not be construed to be an expression on merits of the case. Bail application file be consigned to the record room.

Pronounced in open Court.
Dated: 02.08.2023.

Kaushal Kumar

(Directly dictated on computer)

(Rakesh Kumar),
Additional Sessions Judge,
Kapurthala.
(UID No. PB-0138)