

In The Court of Ms.Paramjit Kaur, Additional Sessions Judge, Sangrur.
(Unique Identification Number PB-0134)

B.A.-Filing no.3126/29.05.2018.

Regn. no.1370/2018

CNR No. PBSG01-004508-2018

Date of Order 05.06.2018

Sharanjeet Singh alias Kaka aged about 27 years son of Gurcharan Singh,
resident of House no.295/A, Street no.4, Subhash Nagar, Ward no.14,
Sunam, Tehsil Sunam, District Sangrur.

.... Applicant/accused.

Versus

State of Punjab

.....Respondent

Application for bail U/s.438 Cr.P.C.

Present: Sh.Kulvir Singh Sunam, Adv. Counsel for the applicant.
Sh.Yashdeep Bhardwaj, Addl. P.P. for the State.
Sh.Amrik Singh Dullat, Adv. Counsel for the complainant.

B.A.-Filing no.3185/31.05.2018.

Regn. no.1394/2018

CNR No. PBSG01-004629-2018

Date of Order 05.06.2018

Sohan Singh aged about 43 years son of Isher Singh, resident of Bazigar
Basti, Ward no.18, Sunam, Tehsil Sunam District Sangrur.

.... Applicant/accused.

Versus

State of Punjab

.....Respondent

Application for bail U/s.438 Cr.P.C.

Present: Sh.Jaspreet Singh Ladda, Adv. Counsel for the applicant.
Sh.Yashdeep Bhardwaj, Addl. P.P. for the State.

B.A.-Filing no.3245/02.06.2018.

Regn. no.1431/2018

CNR No. PBSG01-004717-2018

Date of Order 05.06.2018

Gurmukh Singh aged 37 years son of Veer Singh, resident of Bigarwal Road, near Gas Agency, Sunam Distt. Sangrur.

.... Applicant/accused.

Versus

State of Punjab

.....Respondent

Application for bail U/s.438 Cr.P.C.

Present: Sh.Baljinder Singh Kamboj, Adv. Counsel for the applicant.
Sh.Yashdeep Bhardwaj, Addl. P.P. for the State.

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B.A.-Filing no.3178/31.05.2018.

Regn. no.1395/2018

CNR No. PBSG01-004617-2018

Date of Order 05.06.2018

Manpreet Singh 21 years son of Sh.Gurmeet Singh r/o House no.45, Udham Singh Road, Sunam District Sangrur Mob.No.98144-45681)

.... Applicant/accused.

Versus

State of Punjab

.....Respondent

Application for bail U/s.438 Cr.P.C.

Present: Sh.Nem Kumar and Sh.Satnam Saini, Advocates, Counsel for the applicant.
Sh.Yashdeep Bhardwaj, Addl. P.P. for the State.

B.A.-Filing no.3214/01.06.2018.

Regn. no.1410/2018

CNR No. PBSG01-004685-2018

Date of Order 05.06.2018

Safia Parveen aged about 43 years wife of Mohd. Rashid, resident of Sita Sar Road, near Sai Mandir, Paras Colony, Sunam Tehsil Sunam, District Sangrur. Email-amandeepAdvocateSingh@gmail.com. 964672500.

.... Applicant/accused.

Versus

State of Punjab

.....Respondent

Application for bail U/s.438 Cr.P.C.

Present: Sh.Amandeep Singh, Advocate, Counsel for the applicant.
Sh.Yashdeep Bhardwaj, Addl. P.P. for the State.

ORDER:

This common order shall dispose of all the aforesaid applications moved by the applicants-accused under Section 438 Cr.P.C. arising out of FIR No.97 dated:25.05.2018 under Sections 341, 323,148, 149, 354B IPC registered at P.S. City Sunam.

2. Notice of the bail application has been given to the State.

Record produced.

3. It has been argued by learned counsel for the applicants/accused that applicants/accused have been falsely implicated in this case. They have not committed any offence. They argued that from

the contents of FIR prima facie ingredients of Section 354-B IPC are not made out. There is specific delay in lodging the FIR in this case. Hence, the applicants may be granted anticipatory bail.

4. On the other hand, learned Addl. Public prosecutor for the State has argued that the applicants alongwith other unknown persons have taken the law into their own hands and inflicted injuries upon the person of complainant and his friend Monika. The applicants had to report the matter to the police, but not to take the law into their own hands. As per the MLR injured Subash Kumar, complainant suffered eight injuries and injured Monika suffered seven injuries. The applicants inflicted injuries upon the person of Monika by assault or using criminal force. So, the ingredients of section 354B IPC are fulfilled. He further argued that there is no delay in lodging of the FIR. Victim Monika in her statement dated 29.05.2018 has disclosed the names of the accused persons and injuries attributed to them. He further argued that the recovery of weapons used by the accused in the commission of offence is yet to be effected. So, the applicants/accused are not entitled to concession of bail, therefore, the application be dismissed.

5. I have given my careful consideration to the submissions made from both the sides and have gone through the record, minutely. From the contents of FIR, it is revealed that the FIR was registered on the basis of statement of complainant Subash Kumar, who has alleged that he alongwith his friend Monika went to the house of one lady namely Rani after paying obeisance in Ravi Dass Mandir. Said Rani went to market for taking some eatables for them. In the meanwhile, some people from

surrounding area knocked at the door. They got scared from them and tried to fled away from the house from the back door, but the accused persons restrained them and gave severe beatings to both of them. Resultantly they suffered many injuries. Addl.P.P. for the State during the course of arguments has stated that they had beaten Monika with an intention to commit sexual assault to her. On the other hand, learned counsel appearing for the applicants has submitted that from the contents of FIR prima facie ingredients of Section 354-B IPC are not made out. This offence has been added just to make the offences non-bailable. From the allegations in the FIR only bailable offences are made out. From the record brought by the police, it has appeared that statement of Monika has been registered on 29.05.2018, whereas the FIR has been registered on 25.05.2018. Learned counsel for the applicants has argued that the statement of alleged victim has been recorded subsequently to the registration of FIR, then how the contents of Section 354B IPC have been added in the FIR. During the course of arguments, learned Addl.P.P for the State has also disclosed that the entire incident has been recorded in mobile phones by the people present at the spot. However, no such fact has been mentioned by the Investigating Officer in his initial investigation and it has been argued by learned Addl.P.P for the State that the victim Monika has been badly beaten up by the applicants/accused persons and her 'Dupatta' has also been removed. As far as delay in lodging the FIR is concerned , it has been rightly submitted by Addl.P.P. for the State that in such like cases, sometimes people do not go to the police immediately for reporting the matter as honour of the family is involved. Even otherwise,

the merits of the case can not be gone into at this stage. But prima facie, it appears from the facts that the applicants/accused persons who were having no concern with the complainant and the victim Monika, have given beatings to them without any provocation. They have taken law into their hands. The applicants have been specifically named by the victim in her statement recorded on 29.05.2018. Looking into the peculiar facts and circumstances of the case, this court is of the opinion that the applicants/accused are not entitled to the concession of anticipatory bail and if bail is granted to them, they can intimidate the witnesses. Hence, all the present bail applications stand dismissed.

Copy of this order be placed in the aforesaid bail applications no.1394/2018, 1431/2018, 1395/2018 and 1410/2018. Files be consigned to record room.

Pronounced in Open Court:
Dated:05.06.2018

(Paramjit Kaur)
Addl. Sessions Judge,
Sangrur.
UIC-PB0134

Manpreet Singh JWII

CNR No. PBSG01-004508-2018

B.A. No.1370/2018

Darshan Singh versus State of Punjab.

Present: Sh.Kulvir Singh Sunam, Adv. Counsel for the applicant.
Sh.Yashdeep Bhardwaj, Addl. P.P. for the State.
Sh.Amrik Singh Dullat, Adv. Counsel for the complainant.

Record produced and perused. Arguments heard. Vide my common separate order of even date, the present application under Section 438 Cr.P.C. alongwith other bail applications no. 1394/2018, 1431/2018, 1395/2018 and 1410/2018 for grant of anticipatory bail have been dismissed. Files be consigned to the Record Room.

Pronounced in Open Court:
Dated:05.06.2018

(Paramjit Kaur)
Addl. Sessions Judge,
Sangrur.
UIC-PB0134

Manpreet Singh JWII