

**IN THE COURT OF MS. HARINDER KAUR SIDHU
ADDITIONAL SESSIONS JUDGE, FEROZEPUR**

BAIL APPLICATION NO. 36 of 23-1-2019

CNR No.PBFZ010003532019

CIS No. BA 143/2019

DATE OF DECISION: 29-1-2019

Rahul @ Ketti son of Chinda, aged 20 years, resident of village Sherkhan Wala, Tehsil and District Ferozepur. Adhar No.601023117948.

.... Applicant

Versus

State

... Respondent

Application for bail under Section 439 Cr.PC.

Present: Mr. K.D.Syal counsel for the applicant-accused.
Mr.APS Brar,Additional Public Prosecutor for State.

ORDER

This order finally disposes off an application for regular bail filed by applicant-accused Rahul @ Ketti in case FIR No.118 dated 8-11-2018, under Sections 307,452,323,427,148,149 IPC and 25/27 of Arms Act, registered at Police Station Kulgarhi

2. Upon notice, the learned Additional Public Prosecutor has appeared on behalf of the State and opposed the bail application.

3. It was argued by learned counsel for bail applicant that there is a considerable delay of one day in lodging the FIR. No overt act is attributed to the applicant. He is in custody since 27-11-2018.

Presentation of challan is likely to take time. No purpose would be served by keeping the accused in custody.

4. On the other hand learned Additional Public Prosecutor for the State has opposed the bail application on the ground that bail applicant alongwith his co accused attacked Gurmej Singh son of Sarja, resident of Sher Khan Wala at 9-45PM after entering his house. Hence, a lenient view may not be taken.

5. I have heard learned Additional Public Prosecutor for the State and learned defence counsel and gone through the record. The FIR has been registered on the statement of Gurmej Singh son of Sarja, resident of Sher Khan Wala, wherein he narrated that he is a labourer. On 7-11-2018 at 9-45PM he was in his house, since it was the festival of Diwali the main gate of his house was open and lights were on. Shishu son of Bagicha armed with pistol, Ravi son of Bagicha armed with pistol. Sanam son of Ramesh Kumar armed with pistol, Gurbhej @ Saggu son of Ramesh armed with pistol, Ramesh Kumar son of Bohra armed with Sota, Piti son of Malooka armed with daang, Gurjit Singh @ Jeeti son of Malooka armed with daang, Rahul @ Ketti son of Shinda empty hand alongwith 4/5 unidentified persons who were armed with

‘daang’ entered his house. Ramesh Kumar raised a lalkara that Gurmej Singh and others should not be allowed to go scot free and should be taught a lesson for giving information against them. Gurmej Singh ran up the stairs. Shishu and Ravi fired towards him which missed him. Sanam and Gurbhej followed him up the stairs, Sanam gave a blow with his pistol. 3/ 4 other persons followed him and also inflicted injuries on him. His family raised an alarm. Accused broke the household articles and left with their weapons. Thus from the allegations the bail applicant is stated to be empty hand. No overt act is attributed to him. He is in custody since 27-11-2018. Culmination of investigation and thereafter presentation of challan and trial is like to take time. No useful purpose would be served by detaining the bail applicant/ accused behind bars. Hence, the present bail application is allowed. Bail bonds and surety bonds be furnished to the satisfaction of the Area/Duty Magistrate. File be consigned to the record room.

Pronounced.

Date of order: 29-1-2019

“Satish Kumar”

Stenographer Grade-I

(Harinder Kaur Sidhu)
Additional Sessions Judge,
Ferozepur
(UID No.PB-130)

Present: Mr.K.D.Syal counsel for the applicant-accused.
Mr.APS Brar,Additional Public Prosecutor for State.

Heard on the bail application. Vide my separate detailed order of even date, the bail application is allowed. Bail application file be consigned to the record room.

Pronounced.

Date of order: 29-12-2019

“Satish Kumar”

Stenographer Grade-I

(Harinder Kaur Sidhu)
Additional Sessions Judge,
Ferozepur
(UID No.PB-130)