

**In the Court of Jaswinder Sheemar, Additional Sessions Judge,
Hoshiarpur. (UID No.PB-0093).**

BA No.1421 of 29.5.2023.
CNR No:PBHO-01004221-2023.
Decided on:- 5.6.2023.

FIR No.35 dated 27.2.2023.
Under Sections 323, 324 & 452 of IPC.
Police Station Dasuya, District Hoshiarpur.

Anticipatory Bail Application Under Section 438 Cr.P.C.

Bikram Singh, aged 35 years son of Jit Singh, resident of Village Budhobarkat, Police Station Dasuya, District Hoshiarpur.

.....Bail-applicant.

Versus

State of Punjab.

.....Respondent.

Present: Shri J.P.S Dhanoa, Counsel for the bail-applicant.
Shri Charanjit Singh, Addl. Public Prosecutor for the State.

ORDER:

1. This is a **first anticipatory** bail application filed on behalf of **Bikram Singh (bail-applicant)** in the above referred FIR case.
2. **Notice** of the bail application was issued to the State through Learned Additional Public Prosecutor of the State, who put in appearance and contested the bail application.
3. The police record was requisitioned and perused. Report of Ahlmad has also received, vide which it is reported that no case in the present FIR case found on the website of Hon'ble High Court of Punjab & Haryana, Chandigarh.
4. I have heard the Learned Additional Public Prosecutor for the State and the Learned Counsel for the bail applicant and have gone through the police record.
5. It is observed that the police machinery was set into motion by

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one **Tara Singh (complainant/injured)** by way of getting registering the FIR No.35 dated 27.2.2023, for the offences under Sections 323, 324 & 452 of IPC, against the bail-applicant. The complainant/injured has levelled allegations that he is retired Inspector of Police. On 25.2.2023, at about 5:00 PM, when he was present in his house, at that time the bail-applicant while sitting outside his house was giving him filthy abuses under the effect of liquor and was throwing bricks inside his house. When, complainant/injured told him not to do so, then he entered inside his house forcibly. The bail-applicant stated to be armed with '*Danda*' who gave '*Danda*' blow on his left knee. Thereafter, the bail-applicant state to have gave brickbats which hit on his right eye, left eye, left eye-brow, left side of neck of complainant/injured. Thereafter, the bail-applicant again given '*Danda*' blow to complainant/injured which hit little above left knee and right cheek of the complainant/injured. Thereafter, the bail-applicant stated to have given blow with sharp edged thing which hit on the little finger of left hand of complainant/injured. Son of complainant/injured got attracted to the spot and rescued him from the clutches of the accused.

6. It is observed that there were as many as 9 injuries on the person of complainant/injured which are abrasions only. Out of injuries, injuries No.1,2,3,5&9 were simple whereas injuries No.4,6,7&8 were kept under observation. But the result of the same is not on the police file. The weapon used for injuries Nos.1 to 8 was blunt and injury No.9 is that with sharp-edged weapon.

7. The custodial interrogation of the bail-applicant is not required. The allegations levelled by the complainant/injured have to be evaluated at the time of the trial. In view of the facts and circumstances

mentioned above, therefore, I deem this case fit where the bail applicant is entitled to anticipatory bail. However, in order to facilitate the investigation, the bail-applicant is directed to **join investigation** with investigating officer within **ten days** from the passing of the order and in the event of doing so, he shall be admitted to anticipatory bail to the satisfaction of arresting officer subject to the compliance of section 438 (2) CrPC. Therefore, the anticipatory bail application of the bail applicant stands **allowed**.

8. In the event of non compliance of directions issued vide this order, the Investigating Officer may proceed as per law.

9. The observations made by undersigned vide this Order will have no reflection on merits.

Pronounced in open Court:
Dated: 5.6.2023.
'Gautam Manocha JW (SG)'

(Jaswinder Sheemar),
Addl. Sessions Judge, Hoshiarpur.
(UID No.PB-0093).

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(CNR No.PBHO01-004221-2023).

Present: Shri J.P.S Dhanoa, Counsel for the bail-applicant.
Shri Charanjit Singh, Addl. Public Prosecutor for the State.

Police record produced. Arguments heard. Vide my separate detailed order of even date, this bail application filed by the bail-applicant Bikram Singh, under Section 438 Cr.P.C, for grant of anticipatory bail has been, **allowed**, as detailed therein. Police record returned. Bail application be consigned to the Judicial Record Room, Hoshiarpur, after its completion.

Pronounced in open Court:
Dated: 5.6.2023.
'Gautam Manocha JW (SG)'

(Jaswinder Sheemar),
Addl. Sessions Judge, Hoshiarpur.
(UID No.PB-0093).

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