

CNR No.PBGD01-000327-2024

CIS No.BA-146-2024

Balwinder Singh and another versus State of Punjab

Present: Shri Harmeet Singh Banthanwal, Advocate, counsel for applicants/accused.  
Ms. Neelam, Public Prosecutor for the State with ASI Avtar Singh.

1. The applicants/accused Balwinder Singh son of Gurdial Singh and Manjit Singh son of Gurcharan Singh have sought bail under Section 439 Cr.P.C. in the case arising out of FIR No.71 dated 21.11.2023, under Sections 326, 365, 324, 323, 34 IPC registered at Police Station Bhaini Mian Khan.

2. Heard. The facts of this case as noticed by this Court while dealing with the bail application of co-accused Gurpreet Singh are as mentioned below :-

“The FIR has been registered on the basis of the statement made by Baljit Kaur. As per her version, they belong to village Thikriwal, but on account of some dispute with the cousins of her husband they had started living at village Fattu Barkatan. On 21.11.2023, the complainant and her husband were going on a scootry and when they were a little short of Dhussi Bandh on river Beas in the area of village Fattu Barkatan, one Alto car came in front of their scootry. The occupants of the car had stopped the same. Balwinder Singh son of Gurdial Singh armed with datar, Sukhwinder Singh son of Gurdial Singh armed with baseball bat, Gurpreet Singh son of Sukhdev Singh armed with hockey stick and Manjit Singh son of Gurcharan Singh empty handed came out of the said car. They raised *lalkaras* that they be caught and taught a lesson for asking for the land from them. All of them had attacked her husband Rajinder Singh. When she tried to save her husband,

(Rajinder Aggarwal)  
Sessions Judge, Gurdaspur  
(UID No.PB00048) 18.01.2024

Balwinder Singh gave a blow with blunt side of the datar on her left leg. Sukhwinder Singh gave a blow with baseball bat on her left knee. Gurpreet Singh gave two blows with hockey stick on her left thigh and below her right knee. Manjit Singh had also given *danda* blows to her. When she raised *raula*, the accused had forcibly put her husband into their car and they took him away in the said car. The husband of the complainant had been rescued by the police from village Thikriwal i.e. the village of the accused.”

3. Both the applicants/accused were arrested on 22.11.2023 and they have already been remanded to judicial custody. The presentation of challan and disposal of the case will take time. They have not been involved in any other case. Co-accused Gurpreet Singh has already been granted bail by this Court. without commenting on merits of the case, the instant application is allowed and the accused/applicants are ordered to be released on bail on furnishing of bail bonds in the sum of Rs.25,000/- with one surety in the like amount each to the satisfaction of Ilaqa/Duty Magistrate, but they shall remain bound by the following conditions:-

1. that the accused-applicants shall not leave the country without the prior permission of the Ilaqa Magistrate till presentation of challan and thereafter without the permission of the trial Court;
2. that the accused-applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

3. that the accused-applicants shall regularly attend the hearings before the trial Court; and
4. that the accused-applicants shall continue to cooperate with the investigating agency.

In case the accused/applicants misuse the concession of bail by absenting from the proceedings, the trial Court shall be at liberty to cancel this bail order. Copy of this order be sent to the Court of concerned Ilaqa Magistrate. The instant file be consigned to the record room.

Pronounced :  
18.01.2024  
(*Vinay*)

( Rajinder Aggarwal )  
Sessions Judge, Gurdaspur.  
(UID No.PB00048)