

*In the Court of Sh. Amar Paul,
Addl. Sessions Judge,
Gurdaspur.*

Bail Application No. Nil of 16.05.2022

Date of Order 19.05.2022

CNR No. PBGD01-003410-2022

CIS No. BA-1438-2022

Lovepreet Singh @ Love (correct name Navpreet Singh) aged about 20 years son of Tarsem Singh, resident of village Sanghera, Tehsil Batala, District Gurdaspur.

.... Applicant/Accused

Versus

State of Punjab

... Respondent.

FIR No.0030 dated 21.04.2022

Under Sections 323, 324, 325, 326, 148, 149 IPC

Police Station Qila Lal Singh

First Application for bail U/S 438 Cr.P.C.

Present: Ms. Meena Mahajan and Sh. P.S.Sandhu, Advocates for
applicant-accused.

Sh. K.S. Gill, Additional PP for the State.

ORDER

1. Applicant sought anticipatory bail under section 438 Cr.P.C. on the ground that he has been falsely implicated in this case. It has been further contended that injury for the offence under section 326 IPC is not attributed to the applicant. Applicant is ready to join the investigation by cooperating the police and accordingly, prayed for anticipatory bail.

2. Notice of the bail application was given to the Addl.PP for

the State who opposed the bail application and prayed for dismissal of the same.

3. Police record was called which has been received and perused.

4. Heard. Considered. In this case FIR has been registered on dated 21.04.2022 on the statement of complainant Partap Singh on the brief contents that few days earlier hot exchange took place between Harmandeep Singh @ Hamma and some other young boys in the playground of their village regarding distribution of football kits and regarding which the respectable persons had got effected compromise. On 09.04.2022 at about 6.40 PM he was going to the house of his cousin brother Hardip Singh on foot. When he reached in front of the street of Narinder Singh's flour mill then from the front side Harpreet Singh @ Happy armed with datar, Narinder Singh @ Ninder armed with datar, Balwinder Singh @ Binda armed with dang, Lovepreet Singh @ Love armed with iron pipe, Veer Singh @ Padda armed with baseball, Harmandeep Singh @ Hamma empty handed came and on seeing him Veer Singh raised lalkara and caught Partap Singh and he should not be spared and he be give taste of showing his President-ship for distributing kits. On this, Harpreet Singh @ Happy gave datar blow which hit on his right eye. Then Narinder Singh gave datar blow which hit on his head. Lovepreet Singh gave iron pipe blow which hit on his jaw. He fell down on the ground. Then Veer Singh gave base ball blow which hit on his

upper right ear. Then Balwinder Singh @ Binda gave bis dang blow which hit on his right eye. Harmandeep Singh @ Hamma gave kick blows. Then Hardeep Singh came forward to save him. Then said assailants also beated him. Then they raised alarm. People gathered there and then applicant and non applicants ran away from the spot with the weapons after abusing them. They were admitted in the hospital by Gulab Singh and on his statement FIR has been registered.

5. Doctor has declared the injury no.4 and 5 of Partap Singh grievous in nature and accordingly, offence under sections 325, 326 IPC have been added. Injury no.4 is grievous with sharp edged weapon and injury no. 5 is grievous with blunt weapon.

6. In this case injury for the offence under section 326 IPC is not attributed to the applicant, rather attributed to the non applicant Harpreet Singh @ Happy. Remaining offences are bailable one. Hence, at this stage applicant is directed to join the investigation by cooperating the police with the Arresting Officer till 23.05.2022 and on doing so, the Arresting Officer shall release him on interim anticipatory bail subject to the conditions laid down under section 438(2) Cr. P.C. to its satisfaction. Now to come up on 23.05.2022 for consideration on bail application on merits and police record be also produced on the date fixed.

Pronounced in open court
Dated: 19.05.2022
Shiv Kumar Stenographer Gr.1

(Amar Paul),
Addl. Sessions Judge,
Gurdaspur. UID No. PB0450.