

**IN THE COURT OF DARBARI LAL,
JUDGE SPECIAL COURT, JALANDHAR (UID No. PB0087)**

C.I.S. No.	BA-1447/2019
C.N.R. No.	PBJL01-011642-2019
Date of Instt.	08.04.2019
Date of Order	25.04.2019

Harpreet Lal aged about 23 years, son of Sh. Harjinder Kumar, resident of House No. 522, Near Geeta Mandir, village Pholriwal, Garha, Jalandhar.

..... Applicant/accused.

Versus

State of Punjab

.... Respondent.

FIR No. 027 dated 03.03.2019
U/Ss 323, 324, 427, 506, 379,
148, 149 of Indian Penal Code.
P. S. Division no.7, Jalandhar.

Bail Application U/s 438 Criminal Procedure Code

Present: Shri Ravinder Singh, Advocate for applicant/ accused.
 Shri Harnek Singh, Addl.P.P. for the State.

ORDER

1. Present bail application has been moved on behalf of accused/applicant mentioned above under section 438 of Criminal Procedure Code in FIR No. 027 dated 03.03.2019, P. S. Division no. 7, Jalandhar under sections 323, 324, 427, 506, 379, 148, 149 of Indian Penal Code.
2. Notice of the bail application was issued to the prosecution and Shri Harnek Singh, Addl. P.P. for the State has appeared on behalf of State.

3. Heard. The present case has been registered on the basis of statement of Rajesh Kumar who in his statement specifically deposed that he along with his brothers Pawan and Raj running a shop of auto service near Mithapur Chowk, Senior Secondary School at Mithapur. On 20.02.2019, at about 07:45 P.M., co-accused of the accused-applicant Robin @ Happy started urinating on the signboard of their shop. When his brother tried to stop him, then he called his brother Vicky and Pamma, residents of village Alipur who also brought with them four unknown persons out of which two were with muffled faces at their shop. Pamma caught hold him from his arms and Vicky gave punch blows on left side of his head and Robin @ Happy gave him stick blows on his back and their companions also gave punch blows on his right eye and right ear.

4. The alleged occurrence in this case took place on 20.02.2019 at about 07:45 P.M. whereas FIR in this case has been registered on 03.03.2019. The co-accused of the accused-applicant also placed on file photocopy of his MLR which has been got conducted on 01.03.2019 showing five injuries on his person. It is a case of version and cross-version. It is yet to be ascertain who is the aggressive party. No injury attributed to the accused-applicant. He is ready to join the investigation as and when required by the police.

5. So, in view of above said discussion, it is a fit case where interim bail should be granted. As such, the accused/ applicant is directed to appear before the Investigation Officer/ SHO of Police Station Division no. 7, Jalandhar and to join the investigation on or before date

fixed and in the event of his arrest, he be admitted on interim bail by the Arresting Officer/ Investigating Officer/SHO, to his/her satisfaction, subject to the following conditions:-

1. That the applicant shall not tamper with the prosecution evidence;
 2. That the applicant shall join the investigation as and when required by the investigating officer.
 3. That the applicant shall not leave the country without prior Permission of the court.
6. Police record be returned forthwith. Investigating Officer to report on 06.05.2019.

Dated: 25.04.2019

(Darbari Lal)
Addl. Sessions Judge,
(UID No. PB0087)

**Sushma*