

Partap Singh Vs. State
BA No. 1447 of 2018,
CNR No. PBFZ01-00-3799-2018,

Present: Shri Adish Kumar Adv, counsel for applicant/accused
Partap Singh,
Shri Kuldeep Sahni Additional PP for the State.
Shri VD Madhar Adv, counsel for complainant,

ORDER:-

Police file received. Shri VD Madhar Adv, filed vakalatnama on behalf of complainant.

2. Heard on bail application under section 438(i) Cr.P.C filed by applicant/accused Partap Singh son of Teja Singh, in FIR No.13 dated 06.07.2018, Under sections 341, 323, 295-A, 506, 34 IPC, Police Station Talwandi Bhai.

3. On 06.07.2018, Tarsem Singh son of Mela Singh made statement to the police to the effect that on 05.07.2018, at about 8:15 PM, while returning to his Village on a cycle, he was stopped by an Innova vehicle, out of which 4 persons carrying dangs/sticks came out. Gurjant Singh Ex-Sarpanch was armed with revolver, Partap Singh and two unidentified persons were armed with dandas/sticks. Gurjant Singh raised lalkara. Partap Singh gave danda blow on the back side of his head. Unidentified person gave dang blow on his back. Gurjant Singh

caught hold of his beard and gave fist blows, due to which, his turban was dislodged and fell down on the feet. The other unidentified person gave danda blow on his right wrist. Thereafter, all of them left the spot on their vehicle. Reason for the said occurrence is that Gurjant Singh had been telling him that he used to pass by him by taunting him. Action be taken. On the basis of this statement, FIR was registered.

4. Shri Adish Kumar Advocate has argued that accused is innocent. Alleged occurrence never took place. Real brother of applicant/accused Partap Singh is Senior Vice President of Shiromani Akali Dall of District Ferozepur. One Sukhchain Singh- Congress leader is inimical towards him and got this false case registered, through Tarsem Singh. Only simple injuries attracting offence under section 323 IPC has been attributed to the applicant/accused. Allegations attracting offence under section 295-A IPC have not been attributed to the applicant/accused. He is ready to surrender and join investigation. He should be granted bail.

5. On the other hand, learned Additional PP, assisted by Shri VD Madhar Advocate, counsel for complainant opposed the bail application and has argued for its dismissal.

6. I have considered respective submissions and have gone through the record.

7. As per allegations, applicant/accused Partap Singh gave danda blow on the back side of head of the complainant. No other act has been attributed to him. As per MLR, blunt weapon was used for all the injuries. Offence under section 323 IPC has till date been entered in the FIR regarding injuries on the person of the complainant. Allegations attracting offence under section 295-A IPC are not directed to the applicant/accused. He is ready to surrender and join investigation. Considering all these facts, applicant/accused is granted interim anticipatory bail, with a direction to surrender before the concerned Investigating Officer/SHO within 7 days from today, who will admit him to bail and will join him in investigation and will furnish his report to this court on 30.07.2018 to further proceed in the matter. Police file be returned and be again requisitioned for said date. This file be put upon 30.07.2018 for further proceedings.

Announced in open court.
Dt: 20.07.2018
Mukesh Kakkar
Stenographer Gr-II.

(KK Goyal)
Additional Sessions Judge,
Ferozepur.

KK Goyal, ASJ, Ferozepur