

**IN THE COURT OF JAGMOHAN SINGH SANGHE
ADDITIONAL SESSIONS JUDGE, FAZILKA.
(UID NO.PB0447)**

Case Details

Case Type	BA	
Filing No.	3329/2021	Filing Date : 28.07.2021
Regn. No.	BA/1447/2021	Dated 28.07.2021
CNR No.	PBFZC0-004860-2021	
Date of order	03.08.2021	

Manpreet Singh alias Manni, aged 21 years, son of Gurmesh Singh alias Gurmej Singh, resident of village Rampura, Tehsil and District Fazilka.

...Applicant.

Versus

State of Punjab

...Respondent.

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|----------------|----------------------|
| FIR No.        | 206 dated 24.08.2019 |
| U/s.           | 302, 148, 149 IPC.   |
| Police Station | Sadar, Fazilka.      |

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First Bail Application Under Section 439 Cr.PC.

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Present : Sh. Dharam Singh, Advocate  
counsel for applicant-accused Manpreet Singh through VC.  
Sh. Balwinder Singh Bhatti, Additional PP for the State.

**ORDER**

1. By this order, this Court intends to dispose off the present bail application under Section 439 Cr.PC having been filed by applicant/accused Manpreet Singh.

2. This FIR has been registered on the statement of Kuldeep Kumar son of Krishan Lal, Ex.Sarpanch of village Began Wali on the allegations that on 23.08.2019 while he alongwith his brother Sandeep Kumar (since deceased) was heading towards City, Fazilka, it was about 6.30 PM that when they reached near drain bridge, they noticed applicant Manpreet Singh and non applicants Gautam and Rakesh accompanied by 8-10 other young boys holding sticks etc. and assaulting Lekh Raj. On noticing this occurrence the complainant and his brother stopped there. On seeing them, non applicant Gautam raised Lalkara to teach a lesson to Sandeep Kumar for having sympathy with Lekh Raj. On hearing this Lalkara, non applicant Rakesh Kumar gave a Kirch blow in the abdomen of Sandeep Kumar who fell down on the ground and died as a result of that injury.

3. Notice of the bail application was served upon the State through learned Additional PP alongwith copy of bail application, who received the same, appeared and contested the bail application on

merits. Police record was requisitioned which has been received and perused.

4. I have heard the respective contentions of both the learned Advocates and have perused the record with their able assistance.

5. Learned counsel for the applicant has requested for grant of bail to the applicant through this second bail application on the ground that co-accused Gurjit Singh and Pawan Kumar have been granted bail by the Hon'ble High Court vide order dated 19.07.2021. This court has carefully considered such submission of learned counsel for the applicant in the light of the order dated 19.07.2021 of the Hon'ble High Court passed in CRM-M-28931-2020. It reveals that accused Gurjit Singh and Pawan Kumar were not initially named in the FIR and no injury was attributed to them whereas the applicant is named as accused in the FIR itself from the very inception of proceedings. Such specific allegations against the applicant makes out his case distinguishable from that of the case of accused Gurjit Singh and Pawan Kumar. Hence the applicant is not found entitled to the concession of bail on the parity of other accused. Moreover, the earlier bail application having been filed by the applicant was also dismissed by the court of Sh. Vijay Kumar, learned Additional Sessions Judge,

Fazilka on the ground that “ there are serious allegations against the accused that they with the common object of their co-accused had committed murder of Sandeep Kumar”. Hence, the applicant is not found entitled to the relief of bail under section 439 Cr.PC. As such, this second bail application under Section 439 Cr.P.C. filed by applicant/accused stands dismissed being without merits. Police record be returned and the bail application file be consigned to the record room.

-Sd/-

**Pronounced in open court.  
Dated : 03.08.2021**

**(Jagmohan Singh Sanghe),  
Additional Sessions Judge,  
Fazilka. (UID No.PB0447).**

**\*Sunil Kumar  
Stenographer Grade-I.**