

Nachhattar Singh Vs. State of Punjab.....1
(CIS Regst. No.BA-1575-2021)

IN THE COURT OF BALJINDER SINGH,
ADDITIONAL SESSIONS JUDGE, SANGRUR.
(Unique Identification No.PB0107)

CIS Regs. No.....BA-1575-2021
CNR No. PBSG01-005457-2021
Date of Order:.....21.05.2021

Nachhattar Singh aged about 42 years son of Narang Singh, resident of village Surjan Bhaini, Tehsil Moonak, District Sangrur, now confined in Central Jail, Patiala

.....Applicant-Accused

Versus

State of Punjab

FIR No.30 dated 25.03.2021
under Sections 324, 323, 506, 148, 149 IPC and Section 326, 307 IPC
added later on
Police Station, Moonak.

Application under Section 439 Cr.P.C.

Present : Sh. Ritesh Jindal, Adv. counsel for applicant
Ms. Ravinder Pal Kaur, Addl. P.P. for the State.

ORDER:

The present regular bail application has been moved on behalf of accused Nachhattar Singh for the offences under Sections 324, 323, 506 and 148 r.w.s. 149 IPC and later on offences under Sections 326 and 307 IPC were added.

2. Notice of this bail application has been given to the State. Record has been perused and arguments have been heard.

3. As per case of prosecution, complainant Amrik Singh son of Jangir Singh is having two sons and one daughter. Complainant Amrik

Baljinder Singh
ASJ,Sangrur

Singh is having one plot adjoining to the plot of Nachhattar Singh and Baldev Singh of their village Surjan Bhaini. Some days earlier, complainant party had gone to their plot and same was got measured and during that process of measurement, it was found that some portion of the plot of complainant Amrik Singh merged with the plot of Nachhattar Singh and Baldev Singh.

4. On 24.03.2021 at about 6 PM complainant Amrik Singh and his son Nirmal Singh went to see their plot and when they were about to reach their plot, at that time, Nachhattar Singh, Baldev Singh @ Bhola, Harjit Singh, Gurjit Singh, Ruldu Singh and two unidentified persons came there. Nachhattar Singh was armed with “Iron Blade of Plough”. Harjit Singh was armed with “sharp edged Sickle”. While both Gurjit Singh and Ruldu Singh were having “Iron Rods” in their hands. At the very first instance, Baldev Singh @ Bhola exhorted that Nirmal Singh be not spared that day and he be taught lesson. On that Nachhattar Singh gave blow with “Iron Blade of Plough” to Nirmal Singh, which struck on the backside of his head. On that Nirmal Singh fell down. Then Harjit Singh gave blow with “sharp edged sickle” which struck on his right hand. Then Gurjit Singh gave blow with “Iron Rod” at the left arm of Nirmal Singh. Then Ruldu Singh gave blow with “Iron Rod” at the right shoulder of Nirmal Singh. Complainant Amrik Singh raised alarm “marta marta”. On that accused persons fled away from the spot along with their respective weapons. The other two unidentified persons raised threats of

life to complainant and his son before leaving that place. Jagsir Singh nephew of complainant attracted to spot. Complainant and Jagsir Singh took Nirmal Singh in some vehicle to Civil Hospital Sangrur. After giving first aid, Nirmal Singh was referred to higher center. Nirmal Singh was then got admitted in Amar Hospital Patiala. Nirmal Singh was again referred from that hospital. Complainant got admitted his son Nirmal Singh at Sahara Multi specialist Hospital Patiala and at that place Nirmal Singh is getting treatment.

5. Ld. counsel for applicant-accused Nachhattar Singh vehemently contended that accused Nachhattar Singh has been in custody since long and no useful purpose would be served keeping him in custody and therefore, he be granted concession of regular bail.

The arguments so advanced on behalf of applicant-accused Nachhattar Singh is without force as complainant Amrik Singh has cleared in his statement that accused Nachhattar Singh, Harjit Singh, Gurjit Singh and Ruldu Singh gave four injuries on the person of Nirmal Singh. The first injury so caused on the backside of the head of Nirmal Singh with “Iron Blade of Plough” by Nachhattar Singh was declared as grievous and similarly another grievous injury with “sharp edged Sickle” was given on the right hand of Nirmal Singh by another accused Harjit Singh. Earlier Nirmal Singh was admitted at Civil Hospital, Sangrur and from the hospital, he was referred to Rajindra Hospital Patiala. However, patient was taken to Sahara Multispeciality Hospital Patiala and he

remained admitted in that hospital from 24.03.2021 to 30.03.2021 and Nirmal Singh underwent x-rays and scan in that hospital. Thereafter, in this case upon the direction of Senior Medical Officer, Civil Hospital, Sangrur, board of doctors was constituted to examine the injuries on the persons of injured Nirmal Singh and as per that report, the head injury on the person of Nirmal Singh so attributed to present applicant/accused Nachhattar Singh was declared as dangerous to life.

In the given set of circumstances, applicant-accused Nachhattar Singh is certainly not entitled to the concession of regular bail at this stage of the case although he has been in custody. Accordingly, his bail application is dismissed. Nothing said above shall effect the merits of the case. Police record be returned. File be consigned to record room.

Pronounced in Open Court.
Date:21.05.2021

Parminder Stenographer Gr.-II

(Baljinder Singh)
Additional Sessions Judge,
Sangrur. UIC-PB-0107

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Present : Sh. Ritesh Jindal, Adv. counsel for applicant
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Arguments have been heard. Vide my separate detailed order
of even date, the application in hand has been dismissed as stated therein.

Police record be returned. File be consigned to record room.

Dated:21.05.2021

(Baljinder Singh)
Additional Sessions Judge,
Sangrur. UIC No.PB0107

Parminder Stenographer Gr.-II

Baljinder Singh
ASJ,Sangrur