

**IN THE COURT OF MRS.PREETI SAHNI,
SESSIONS JUDGE, MANSA
(UID NO.PB0078)**

Bail application No.401

Date of institution: 27.09.2023

CIS No.BA/1564/2023

CNR No.PBMN010042742023

Date of decision: 09.10.2023

State

Versus

1. Sunder Ram alias Shankar Ram, aged about 20 years, son of Lachhman Dass, resident of Ward No.3, Bareta, Tehsil Budhlada, District Mansa, now in judicial custody at District Jail, Mansa.
2. Amandeep Singh, aged about 21 years, son of Nazar Singh, resident of village Bakhshiwala, Tehsil Budhlada, District Mansa, now in judicial custody at District Jail, Mansa.

--- Applicants-accused

Bail application under Section 439 of the Cr.P.C.

FIR No.108 dated 07.09.2023

under Sections 308, 458, 323, 427, 506, 148, 149

of IPC, Police Station, Bareta, District Mansa.

Present: Shri Swaranjit Singh Dalio, Advocate, Counsel for applicants-accused.

Shri Harvinder Singh, Public Prosecutor for the State.

Shri Sushil Kumar Bansal, Advocate, counsel for complainant.

ORDER

Accused-applicants have moved this bail application under Section 439 Cr.P.C. seeking grant of regular bail.

2. Heard. Record perused, which reveals that on 07.09.2023, complainant Sona Rani wife of Bagga Singh, resident of village Khudal Kalan, got recorded her statement before ASI Darshan Singh to the effect that she was married to Bagga Singh about 5 months back. In her matrimonial home, she is living in joint family consisting of her husband, elder brother-in-law Raju Singh, younger brother-in-law Avtar Singh, sister-in-law Manpreet Kaur and mother-in-law. On 06.09.2023, one Kamal Sharma son of Jaipal Sharma, resident of Khudal Kalan started arguing with her elder brother-in-law Raju Singh without any reason. On coming back to the house, her brother-in-law Raju Singh apprised the family of said incident.

3. On the same day, at about 10. p.m., she, her brother-in-law Raju Singh, mother-in-law Jeeto Kaur were present in the house and were talking with each other. The outer gate of the house was open. Then, suddenly Kamal Sharma son of Jaipal Sharma along with his companions Shunder Ram (applicant-accused) son of Lachhman Dass, Gurdeep Singh son of Amrik Singh, Amandeep Singh (applicant-accused) son of Nazar Singh, Deep Singh son of Gurdeep Singh, Pardeep Singh son of Mohan, Lovejeet Singh son of Gurtej Singh, Moli Singh son of Hans Singh, Kimat Singh son of Moli Singh, Lovepreet Singh son of Gurtej Singh, Rimpay Singh son of Dhana Singh, Gurpiar Singh son of bona Singh,

Mehnga Singh son of Moli Singh and other known persons, having Dangs, Sotis and half bricks entered their house and raised scuffle with them. Kamal Sharma and Pardeep Singh raised Lalkara that Raju Singh would be taught a lesson to mess with them. Then, all these persons having brick bats with them started throwing the same towards them. One brick blow hit on left arm of complainant. They hurriedly ran inside the room and bolted the door. On their raising noise, the accused after sometime left the spot. Then people from neighbourhood collected and then they came out of the room.

4. During course of arguments, learned counsel for applicants-accused raised point that applicants-accused are innocent and have been falsely implicated in this case. No specific role has been attributed to applicants accused. Applicants-accused are in custody since 07.09.2023 and they are not required for investigation or recovery purpose. Presentation of challan and conclusion of trial is likely to take a considerable time. No fruitful purpose will be served by detaining the applicants behind the bars for an indefinite period. So, they be released on bail.

5. At this juncture, learned Public Prosecutor assisted by learned counsel for the complainant raised point that applicants-accused along with their accomplices criminally trespassed into the house of complainant having Dangs, Sotis and brick bats and caused injuries with intention to kill.

6. So, whatever these facts and circumstances have come on record which are already discussed above and considering the fact that no specific role has been attributed to the applicants-accused and that applicant-accused are in custody since 07.09.2023 ; that presentation of challan and conclusion of trial of the case is likely to take sufficient time and no useful purpose will be served by detaining the applicants-accused in jail for an indefinite period, so this bail application stands allowed and the applicants-accused are ordered to be released on bail on furnishing personal bond in the sum of Rs.50,000/- with one surety in the like amount each to the satisfaction of the Illaqa/Duty Magistrate and also subject to the conditions that subject to the condition that the applicants-accused will regularly appear in Court on each and every date of hearing and will not commit similar offence in future and will not leave the country without prior permission of the court. It is further made clear that if at any stage the applicants-accused jump bail in that case this order shall be deemed to have been cancelled.

7. Bail application stands disposed of accordingly. Police Record be returned. A copy of this order be sent to the Illaqa/Duty Magistrate for compliance. Bail application file be consigned to the record room.

Announced:
09.10.2023

(Preeti Sahni)
Sessions Judge, Mansa
(UID No.PB0078)

CNR No.PBMN010042742023

BA/1564/2023

State Vs. Sunder Ram & another

Present: Shri Swaranjit Singh Dalio, Advocate, Counsel for applicants-accused.
Shri Harvinder Singh, Public Prosecutor for the State.
Shri Sushil Kumar Bansal, Advocate, counsel for complainant.

Shri Harvinder Singh, Public Prosecutor appeared for the State, whereas Shri Sushil Kumar Bansal, Advocate appeared and filed power of attorney on behalf of the complainant. Police record produced. Arguments heard. Vide separate detailed order of today, this bail application has been allowed. Police record be returned. Copy of this order be sent to the Illaqa/Duty Magistrate for compliance. Bail application file be consigned to the record room.

Announced:
09.10.2023

(Preeti Sahni)
Sessions Judge, Mansa
(UID No.PB0078)

Sukhwinder Singh Stenographer G-II