

**IN THE COURT OF MS. JATINDER KAUR,
SESSIONS JUDGE, FAZILKA (UID No. PB0062).**

CIS NO. BA/1596/2024.

Date of Instt: 13.08.2024.

CNR No. PBFZC0-004189-2024.

DATE OF ORDER: 20.08.2024.

Krishan Singh age 34 years son of Jaswant Singh resident of village Ghallu Tehsil & District Fazilka.

-----Applicant-accused.

Versus

State of Punjab

-----Respondent

Application for bail u/s 483 The BNSS in FIR no. 62 dated 30.07.2024, under sections 333/118 (1)/115 (2)/324 (4)/191(3)/190 BNS, P.S. Khui Khera.

Present: Sh. S.S. Maan Advocate counsel for bail applicant.
Sh. Wazir Kamboj, P.P. for the State-respondent, assisted by
Shri Nishank Kataria, Advocate counsel for complainant.

ORDER

This order of mine shall dispose off the above referred bail application U/S 483 of The BNSS moved by the aforementioned applicant-accused in the above noted FIR.

2. The brief facts leading to the filing of the present bail application are that the present FIR was got registered on the statement of complainant Smt. Parkash Kaur wife of Chiman Lal resident of village Ghallu Tehsil & District Fazilka stating that she is posted as a Government Teacher at village Ghallu. On 28.07.2024 at about 8.15 am, when she along with her mother Hardevan Bai and son Navdeep Singh was present in the house, Baldev Singh @ Ghakku son of Jaswant Singh armed with kapa,

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Ranvijay Singh @ Vicky son of Ranjit Singh armed with kasia, Krishan Singh son of Jaswant Singh armed with dang, Jaswant Singh son of Sona Singh armed with dang, Harbans Singh son of Sona Singh armed with dang, Prem Singh son of Sona Singh armed with dasta, Ravinder Kaur @ Harmindo Kaur wife of Jaswant Singh carrying a brick bat and Paramjit Kaur wife of Harbans Singh carrying a brick bat entered her house and Ravinder Kaur @ Harmindo Kaur raised a lalkara and they should be teach a lesson for taking their daughter-in-law. Meanwhile, Baldev Singh @ Ghakku gave a kapa blow and when she raised her left hand to save from that blow, kapa hit her left little finger from its sharp side, which was chopped off and fell on the earth, then Ranvijay Singh @ Vicky gave a kasia blow from its reverse side hitting left side of her stomach, then Krishan Singh gave a dang blow hitting her right shoulder, Jaswant Singh gave a dang blow hitting her left shoulder, then Harbans Singh gave a dang blow hitting her right thigh, Prem Singh gave a dasta blow hitting her back, Ravinder Kaur @ Harmindo Kaur and Paramjit Kaur kept on throwing brick bats towards their house, due to which, window pans of their house were broken. She fell on the ground and all the aforesaid assailants caused her injuries. Due to fear, her son ran away by climbing the wall, while her mother, being an extremely old lady, could not come forward for her help. The assailants broke the CCTV cameras installed in their house and some of the CCTV cameras were taken over by the assailants with them. She raised alarm of *mar-ditta mar-ditta* and seeing gathering on the people, all the assailants along with their respective weapons took to their heels. Then her Gurbinder Singh son of Surinderpal (her *Deor's* son) got admitted her in Civil Hospital, Fazilka, where after providing her first aid, she was referred to GGS Medical College & Hospital, Faridkot. The motive behind

the occurrence was that wife of Krishan Singh namely Gagandeep Kaur was living in 'live-in-relationship' with her son Navdeep Singh and later on, her son returned Gagandeep Kaur to Krishan Singh etc. and she (Gagandeep Kaur) is not residing with them at present, while Krishan Singh etc. were blaming them that Gagandeep Kaur is residing in their house. Due to that reason, after entering her house, all the aforesaid assailants caused her injuries. On the basis of said statement, present FIR was registered.

Applicant-accused was arrested on 30.07.2024. Regular bail application filed on his behalf has been dismissed by the Court of Illaqa Magistrate vide order dated 08.08.2024, hence the present regular bail application has been filed on his behalf before this Court.

3. Notice of the bail application was given to the State. Learned P.P. appeared on behalf of the State and contested the same for the State.

4. This Court has heard the contentions raised by learned counsel for the applicants as well as learned P.P. for the State and have also perused the record of the case.

5. The learned counsel for the applicant-accused contended that the applicant-accused is in judicial custody since 30.07.2024. The applicant-accused has not committed any offence and he has been falsely implicated in the present case. The applicant undertakes to appear on each and every date of hearing and shall not leave the country without its prior permission and shall not tamper with prosecution evidence. The conclusion of trial shall take long time and prayer was made for acceptance of the present bail application.

Whereas, on the other hand, learned P.P. for the State opposed

the present bail application. He has contended that accused-applicants along with their co-accused have committed the serious offences by forcibly entering into the house of complainant and causing her injuries with sharp edged weapons and also throwing brick bats into her house. He further contended that even little finger of the complainant was chopped off. Accused Krishan Singh is the main accused. Thus, applicant-accused does not deserve the benefit of bail and prayed for the dismissal of bail application.

6. This Court has considered the rival contentions of both the sides. Although the applicant-accused is in judicial custody since 30.07.2024 i.e. for the past about 04 weeks, but it remains a fact that the allegations against the bail applicant are serious in nature because as per prosecution allegations, previously wife of bail applicant Krishan Singh was living in 'live-in-relationship' with the son of complainant and later on, they returned her (Gagandeep Kaur) to Krishan Singh etc. but the assailants were suspecting that they have still kept Gagandeep Kaur with them. As per medical record, complainant suffered incised wound on the little finger of her left hand with fracture of bones. Further, as per prosecution allegations, all the assailants armed with deadly weapons like kapa, gandasa, dangs etc. committed house trespass and caused grievous as well as simple injuries to the complainant. Such like incidents are on rise in this part of the country. It has rightly been contended by learned P.P. for the State that if regular bail is granted to the applicant-accused at this stage, there is every possibility of influencing the prosecution witnesses, which may hamper the ongoing investigation/trial. So, keeping in view the serious allegations against the applicant-accused, he does not deserve the concession of regular bail, at this stage. Consequently, the regular bail

application moved on his behalf is ordered to be dismissed. The observation made here above shall have no effect on the merits of the case.

Bail application file be consigned to the Record Room, Fazilka after due compilation.

Sd/-

Pronounced.
Dated: 20.08.2024.
'Bhola Shankar'
'Stenographer Gr.I'

(Jatinder Kaur),
Sessions Judge,
Fazilka (UID No. PB0062)

BA 1596 of 2024 Krishan Singh versus State of Punjab
CNR No. PBFZC0-004189-2024

Present: Sh. S.S. Maan Advocate counsel for applicants.
Sh. Wazir Kamboj, P.P. for the State-respondent, assisted by
Shri Nishank Kataria, Advocate counsel for complainant.

Heard. Report of Ahlmad perused. Vide my separate &
detailed order of today, the bail application u/s 483 BNSS applied on behalf
of aforementioned applicant-accused has been disposed off.

Bail application file be consigned to the Record Room,
Fazilka, after due compilation. Sd/-

Pronounced.
Dated: 20.08.2024.
'Bhola Shankar'
'Stenographer Gr.I'

(Jatinder Kaur),
Sessions Judge,
Fazilka (UID No. PB0062)