

**In the Court of Rajnish Garg,
Additional Sessions Judge, Jalandhar.**
(UID No.PB-00088)

BA No. : 1592-2024
CNR No. : PBJL01005002-2024
Date of Order : 05.04.2024

Amit Mowgli, aged about 30 years, son of Ashok Kumar resident of House no.30, Mohalla No.30, Jalandhar Cantt. Jalandhar.

...Applicant/accused.

Versus

State of Punjab

...Respondent.

...

FIR No.19 dated 28.02.2024
Under Sections 323, 324, 325, 326, 307, 506, 148, 149 of IPC
Police Station Jalandhar Cantt., Jalandhar.

...

(Application for bail under Section 439 of Cr.P.C.)

...

Present: Sh.N.S.Minhas, counsel for applicant/accused.
Ms.Zeba Khalid, Addl.PP for the State.

ORDER:

1. Present bail application has been filed on behalf of applicant/accused Amit Mowgli, under Section 439 Cr.P.C for grant of regular bail in aforesaid FIR.
2. Notice of the bail application was given to the State and record was produced.
3. Brief facts necessary for dealing with present bail application are that present case was registered on the statement of Mahir Gill with the allegations that on 25.02.2024 at about 09:00 pm, he alongwith his

(Rajnish Garg)
Addl. Sessions Judge, Jalandhar.
(UID No.PB00088)

friends Harry and Abhi, was present outside the house of Harry. They were talking to each other. In the meanwhile, Pritpal armed with Dattar, Puneet Puri armed with Kirpan, Arjan armed with Kirpan, Amit Mowgli (applicant/accused) armed with Khanda, Tannu Chirri armed with Kirpan, Sumit Gora armed with sharp edged weapon and Happy (brother in law of Pritpal) armed with wooden stick, came there. Puneet Puri raised lalkara to catch hold of them and they be not spare. Thereupon, Pritpal gave dattar blow to Harry. Arjan gave kirpan blow to Abhi. Sumit Gora gave blow with sharp edged weapon on his head, which rested little above ear on the left side of his head. He fell down on the ground. Tannu Chirri gave kirpan blow to him and said blows rested on the back of his neck. Several people gathered there on hearing the raula raised in said quarrel. Thereupon said assailants ran away from the spot with their respective weapons. Reason behind the occurrence was that earlier also a quarrel had taken place between them and due to that reason, said assailants had caused injuries to them.

On the basis of said statement and after collecting medical evidence, present case was registered against applicant/accused and others under Sections 323, 324, 326, 506, 148, 149 of IPC. During investigation, complainant Mahir Gill got recorded his supplementary statement. Thereafter, offence under Section 307 of IPC was added vide DDR No.25 dated 09.03.2024. Applicant/accused Amit Mowgli was arrested in this case on 09.03.2024 and since then he is in custody. Hence this bail

application.

4. I have heard and considered the submissions made by learned counsel for applicant/accused, learned APP for the State and have carefully perused the record with their able assistance.

5. There is unexplained delay of three days in getting registered the present case as the occurrence in the present case was committed on 25.02.2024, whereas present case was registered on 28.02.2024. It is the further case of the prosecution that during investigation, complainant Mahir Gill got recorded his supplementary statement and on the basis of that statement, offence under Section 307 of IPC was added vide DDR No.25 dated 09.03.2024 but perusal of police record shows that there is no medical record declaring the injury as dangerous to life. Moreover, no specific injury has been attributed to applicant/accused. Furthermore, applicant/accused is in custody for the last about one month as he was arrested on 09.03.2024. Presentation of challan and conclusion of trial would take sufficient time and no useful purpose would be served by keeping the applicant/accused in custody for indefinite period.

6. Keeping in view of my aforesaid discussion and without commenting upon the other merits of the case, this is a fit case where concession of bail can be granted to the applicant/accused. Accordingly, application in hand is hereby allowed. Applicant/accused is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Illaqa/Duty Magistrate subject to the conditions

that he would not leave the country without prior permission of the Court; he would not influence the witnesses of the prosecution in any manner and that he would appear before the Court on each and every date of hearing. However, observations made above are only for disposal of this bail application and would have no bearing on merits of the case. Copy of this order be sent to the learned Illaqa/Duty Magistrate for necessary compliance.

7. Further as per directions issued by Hon'ble Supreme Court of India in SMWP (Criminal) No.4/2021, intimation of this bail order be sent to concerned Superintendent, Jail authorities, where applicant/accused is lodged, through email for providing information to applicant/accused.

8. Police file be returned and file of this bail application be consigned to the Record Room.

Pronounced in open Court.

Dt: 05.04.2024.

Munish, JW

(Rajnish Garg)
Addl. Sessions Judge, Jalandhar.
(UID No.PB00088).

(Rajnish Garg)
Addl. Sessions Judge, Jalandhar.
(UID No.PB00088)