

**In the Court of Sh. Virinder Aggarwal,
Sessions Judge, Ferozepur.**
(Unique Identification No.PB0045)

CNR No.PBFZ0100-3977-2022
CIS No. BA/1588 of 2022
Case No.127, dated 11.07.2022
Date of Order: 18.07.2022

State

Versus

Gursaab Singh son of Nachhattar Singh, resident of Basti Mohamad
Ali Shah (Bhawra Azam Shah), Police Station, Mamdot, District
Ferozepur.

... Applicant/Accused

--

Application for bail U/s 439 of Code of Criminal Procedure

—

FIR No.311, dated 05.10.2021
U/s 307,365,323,148,149 IPC and
25 and 27 of Arms Act
Police Station, City Ferozepur.

Present: Sh. R.S. Sidhu, Adv., counsel for the applicant/accused.
Sh. Dalip Kumar, Public Prosecutor for the State.

O R D E R

1. This order of mine shall decide this application for regular
bail U/s.439 of CrPC filed in the above noted FIR on behalf of

applicant Gursaab Singh, on the allegations that he is innocent and has been falsely implicated in the present case. Case was got registered in order to put pressure upon the complainant. Previous case was got registered by the complainant with regard to the occurrence taken place in October, 2021 for which FIR No.312 of 05.10.2021, under sections 307,341,506,34 IPC and 25,27 of Arms Act was registered against Gurdit Singh and other unknown persons on the statement of the applicant/accused. Complainant of the present FIR also participated in the occurrence and he is stated to have been nominated in that FIR and as counter blast to that, present case was got registered. Applicant/accused is in custody since 07.06.2022. Presentation of challan and conclusion of trial will take long time. Hence, it is prayed that the application be allowed and applicant be given the concession of regular bail.

2. Notice of bail application was issued to State and Sh. Dalip Kumar, Public Prosecutor put in appearance on behalf of State. Record has also been requisitioned.

3. I have heard arguments of counsel for applicant and learned Public Prosecutor for State and have gone through the record.

4. Perusal of the record shows that FIR was registered in this

case on the statement of complainant Manpreet Singh on the allegations that few days earlier, there was fight between complainant and accused/applicant, Karan, Vicky and four unidentified persons and due to that applicant/accused and others were having grudge against the complainant and on 04.10.2021, he alongwith his friends Harpreet Singh and Saurav were going to meet their friend Gurdit Singh on Innova Crista bearing no.PB 05 AN 6666. At about 5.00 p.m., when they stopped the vehicle in the grain market, Harpreet Singh and Saurav, went to the house of Gurdit Singh and complainant received phone call and was talking on the phone, while standing near the vehicle, three vehicles, one i20 bearing registration no.PB 05 AB 1999 and others Scorpio, out of which one has registration no.PB 47 F 1999, came there. Gursaab Singh, Karan, Vicky and 8/10 unidentified persons came out of vehicles and they encircled him. Gursaab Singh fired from his pistol with intention to kill him and the fire hit in the web of toes of left foot and he was picked up and put in Scorpio and they kept on taking him to different streets of Ferozepur and thereafter, they took him to the house of the applicant/accused, where, he was given beatings and his video clip was prepared. Gursaab Singh told him to say that he has hit with fire arm to himself and in case, he did

not say the same, he would be thrown in the canal after killing and after that, he was left in Ferozepur City and from there, he went to Civil Hospital, Ferozepur.

5. Perusal of the MLR shows that there are 05 injuries. Rest of the injuries on the person of the complainant are abrasions only and counsel for the applicant/accused has produced a copy of spurdari application moved by brother of Manjit Singh complainant, Gurpreet Singh to get .32 bore pistol bearing no.01-04982 released on spurdari and he stated that weapon of complainant party has been used in the occurrence. This clearly shows that injury is self suffered and that weapon has not been sent for Forensic examination in order to ascertain that injury on the person of complainant is caused by use of that weapon.

6. Considering the fact that applicant/accused is in custody since 07.06.2022. Injuries on the person of complainant are simple in nature, there is counter version against the complainant party also. Presentation of challan and conclusion of trial will take long time and it shall serve no useful purpose for keeping the applicant behind bars for indefinite period. Hence, the application for bail is allowed. The applicant is admitted to bail on his furnishing bail bonds and surety

bonds to the satisfaction of Illaqa Magistrate/Duty Magistrate. Bail papers be consigned to record room.

Announced.

Dated: 18.07.2022

yashpaul Stenographer Gr-1

Sd/-Virinder Aggarwal
Sessions Judge, Ferozepur.
(PB0045)