

In the Court of Sh. Daljit Singh Ralhan, Additional Sessions Judge
Mansa. (PB0198)

File No.580 dated 12.11.2018
CIS No.BA/1476/2018
CNR No. PBMN010037172018
Date of order: 19.11.2018

State

Versus

Nirmal Singh aged about 38 years son of Babu Singh resident of
Sadhuwala Tehsil Sardulgarh District Mansa, now confined in District Jail
Mansa.

----- Applicant/ accused.

FIR No. 202 dated 19.10.2018

Under Section: 326, 324, 323, 341, 34 IPC,

Police Station: Sardulgarh District Mansa.

Application for regular bail u/s 439 Cr.P.C.

Present:- Sh. Dalip Singh, Advocate for applicant/ accused.
Sh. Vikas Garg, Addl.PP for the State.
Sh. D.S. Dhaliwal, Advocate for complainant.

ORDER:

1. This order of mine shall dispose off an application for regular
bail filed under Section 439 Cr.P.C. by accused-applicant Nirmal Singh in
FIR No. 202 dated 19.10.2018, Under Section: 326, 324, 323, 341, 34
IPC, Police Station: Sardulgarh District Mansa.

2. Notice of the application was given to the State. Learned Addl. PP has appeared and contested the application. Record has been summoned.

3. Learned counsel for the applicant-accused has contended that accused has been falsely implicated in the present case. No injury has been attributed to the applicant/ accused. Applicant-accused is in custody since 19.10.2018. No useful purpose will be served by keeping the accused in custody. Prayed for grant of the bail is made.

4. Learned Addl. PP has contended that as per medical examination, six injuries have been caused on the person of complainant. and out of the said injuries, some were grievous in nature. Learned Addl. PP has prayed for the dismissal of the bail application.

5. Present case has been registered on the statement of Jaswinder Singh son of Nachhatar Singh to the effect that on 17.10.18 at about 6 PM, his father had gone to field. Where Jaspal Singh, Narinder Singh, Nirmal Singh had beaten his father. His father returned home. His wife disclosed above said incident to him on phone. He alongwith his elder brother Baljinder Singh were coming to his village. When they were 4/5 killa behind from village, at about 8.30/9 PM, Jaspal Singh armed with Ghappa, Narinder Singh armed with kirpan, Nirmal Singh armed with sotti were standing in the way and stopped them and caused injuries on their persons.

6. Injury which has been declared grievous in nature is on the finger. No injury has been attributed to the applicant/ accused. Accused-

applicant is in custody since 02.11.2018. Challan has not been presented so far. Presentation of challan and conclusion of trial will take considerable time. No useful purpose will be served by keeping the accused behind bar for considerable period. Without commenting the merits of the case, the present bail application is allowed. Accused/ applicant Nirmal Singh is ordered to be released on bail on furnishing personal bonds and surety bonds to the satisfaction of Id. Ilaqa Magistrate/duty Magistrate and subject to following conditions:

- i) that the applicant shall make himself available for interrogation by a police officer as and when required.
- ii) that the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the accusations against him so as to dissuade him from disclosing such facts to the court or to any police officer.
- iii) that the applicant shall not leave India without the previous due permission of the court.

Copy of this order be sent to the Court of Id. Ilaqa Magistrate forthwith.

Record be returned and record of bail application be consigned to record room after due compilation.

Pronounced.
Dated: 19.11.2018.
Avinash

(Daljit Singh Ralhan)
Addl. Sessions Judge
Mansa.(PB0198)

State Vs. Nirmal Singh

Present:-Sh. Dalip Singh, Advocate for applicant/ accused.
Sh. Vikas Garg, Addl.PP for the State.
Sh. D.S. Dhaliwal, Advocate for complainant.

Arguments on application filed under Section 439 Cr.P.C. seeking bail by accused / applicant, heard. Vide separate detailed order of even date, the same stands allowed. Record be returned and record of bail application be consigned to record room after due compilation.

Pronounced.
Dated: 19.11.2018.

(Daljit Singh Ralhan)
Addl. Sessions Judge
Mansa.(PB0198)

Avinash