

In the court of Sh. Jaspinder Singh, Additional Sessions Judge, Amritsar.

1)

BA No. 1604,

Date of Institution.25.3.2019,

Date of Decision. 30.3.2019.

State versus Jagmeet Singh son of Pritam singh, resident of
Talwandi Dasaunda Singh, Amritsar Rural.

FIR No. 26 dated 14.3.2019,

Under Sections 323,324,326,506,34 IPC,

P.S. Kathu Nangal.

Present: Sh. Pardip Singh Advocate for the applicant,
 Mrs. Anju Sharma APP for State assisted by
 Sh. KS Randhawa Advocate for complainant,

2)

BA No. 1605,

Date of Institution.25.3.2019,

Date of Decision. 30.3.2019.

State versus Jagdeep Singh son of Niranjn singh, resident of
Talwandi Dasaunda Singh, Amritsar Rural.

FIR No. 26 dated 14.3.2019,

Under Sections 323,324,326,506,34 IPC,

P.S. Kathu Nangal.

Present: Sh. Pardip Singh Advocate for the applicant,
 Mrs. Anju Sharma APP for State assisted by
 Sh. KS Randhawa Advocate for complainant,

This order of mine will dispose of two bail applications under section 438 CrPC, one filed by applicant Jagmeet Singh son of Pritam Singh and the second filed by Jagdeep Singh son of Niranjn Singh. It has been submitted in the bail applications that the injury attributed to the applicant is on non vital part and the offence falls under section 324 IPC and not under section 326 IPC as none of the injuries fall under section 320 IPC. It has been further submitted that it is a case of version and cross version and it is yet to be determined which of the party is an aggressor

and the cross version has been registered on the statement of co-accused Onkar Singh uncle of applicant. It has been submitted that the applicant is ready to join the investigation as and when called by this court and it has been prayed that applicants Jagmeet Singh and Jagdeep Singh be granted concession of anticipatory bail.

2 Upon notice, APP appeared on behalf of State and produced record. Sh. K.S. Randhawa Advocate appeared for complainant.

3 I have heard learned counsel for the applicants, APP for State and have gone through the record with their assistance.

4 Perusal of the police file reveals that FIR was registered on the statement of Baljit Singh with the allegations that on 21.2.2019 he was going to his agricultural land and on the way, Jagdeep Singh @ Deepu son of Niranjan Singh armed with Datar, Jagmeet Singh @ Jagga son of Pritam Singh armed with Datar, Sahu son of Jagmeet Singh armed with baseball and Onkar Singh son of Baldev Singh empty handed met him. They were standing at the motor of Satnam Singh. When he had crossed them on his cart, Onkar Singh raised lalkara on which Jagdeep Singh gave datar blow which struck on the left elbow. He fell down from the cart. Jagmeet Singh gave datar blow which struck on his right leg near knee. Then, Jagdeep Singh again gave Datar blow which struck on the little finger of right hand, Sahu gave baseball bat blows. He raised alarm, 'mar ditta mar ditta' on which his father Nirmal Singh and cousin Shamsheer Singh came and the accused ran away. Thus, as per the averments in the FIR, accused Jagmeet Singh has caused injuries to the complainant with the help of Datar and

the blow struck on the right knee which is injury no.2 mentioned in the MLR and this injury was declared as grievous after seeing X-ray report dated 25.2.2019. So, applicant Jagmeet Singh is not entitled to the concession of anticipatory bail and his bail application is dismissed.

So far as applicant Jagdeep Singh is concerned, he has given two Datar blows on the person of complainant Baljit Singh, one on the left elbow and the other on the finger of right hand. Injury no.1, which is on the elbow was declared grievous by doctor. So, the applicant has caused grievous injuries to complainant Baljit Singh with the help of datar, hence his custodial interrogation to recover the weapon of offence is required. So, applicant Jagdeep Singh is not entitled to the concession of anticipatory bail and his bail application is dismissed. Record of these bail applications be consigned to record room and a copy of this bail order be placed in bail application titled as State versus Jagdeep Singh. The police file be returned immediately.

(Jaspinder Singh)
Additional Sessions Judge,
Amritsar.
UID No. PB0148

Pronounced.
30.3.2019.
Amrik Singh-Gr.I