

**IN THE COURT OF PARMINDER SINGH RAI
ADDITIONAL SESSIONS JUDGE, GURDASPUR**

CIS No. BA/2318/2023
CNR No. PBGD01-008394-2023
Date of Order: 26/07/2023

Surinder Singh @ Shinda s/o Balkar Singh, r/o Village Kiri Afgana,
Tehsil Batala, District Gurdaspur.

.....Petitioner

Versus

State

.....Respondent.

GD No. 32 dated 15.05.2023
In FIR No. 68 dated 15.05.2023
U/ss 324,323,326,427,148,149 IPC
Police Station: Shri Hargobindpur

Bail application under Section 438 Cr.P.C.

Present: Sh. Parun Bhagowalia, Advocate, counsel for petitioner.
Sh. Kiran Kumar, Ld. Additional P. P for State

ORDER

Present petition has been filed by petitioner seeking pre-arrest bail under Section 438 of Cr.P.C. for the alleged commission of offences as mentioned above.

2. Upon notice, learned Additional P.P put in appearance on behalf of respondent-State and contested the bail application. Police record was also requisitioned.

3. It is submitted by learned counsel for petitioner that petitioner is innocent and he has been falsely implicated in the present case. Petitioner is ready to join the investigation and to

cooperate in the same, so he may be admitted to pre-arrest bail.

4. On the other hand, it is submitted by learned Addl. P. P. that the custodial interrogation of petitioner is required for further investigation in the present FIR, as such, present bail application may be dismissed.

5. I have considered rival contentions of learned counsel for petitioner as well as of learned Additional Public Prosecutor and also perused the record.

6. As per the cross version so registered on the basis of statement of Baldev Singh that they are four brothers. Their land falls in Khwaja Bains and adjoining to that there is land belonging to Balkar Singh son of Kartar Singh having joint Wat. The son of Balkar Singh namely Surinder Singh damaged the same and ploughed the same as well. They intimated to Gurudwara committee. On 10.05.2023, the members of Gurudwara Committees got installed burjies of the joint Wat. On 12.05.2023, at about 1.30 p.m, he was ploughing his land with his tractor Indofarmer, accused Surinder Singh armed with datar, Akashdeep Singh armed with dang, Vatandeep Singh armed with dang came over there and after abusing them went to their Deras. At about 2:30 p.m, three of them alongwith Sandeep Singh armed with kirpan, Balkar Singh armed with kirpan, Jaswinder Sigh armed with rifle came over there and stopped his tractor. Balkar Singh accused raised lalkara that he may be taught a

lesson for preparation Watt. Accused Surinder Singh gave datar blow hitting on left arm wrist, accused Akashdeep Singh gave dang blow hitting on little finger of his right hand, accused Vatandeep Singh gave dang blow hitting on his right shoulder, Sandeep Singh accused gave datar blow from reverse side hitting on right knee. On hearing his raula, Balwinder Singh came over there and when he came forward to save him, then accused Sandeep Singh gave datar blow to him hitting on his left leg. Then accused Palwinder Singh gave kirpan blow to Balwinder Singh hitting on his left leg and accused Vatanpreet Singh gave dang blow to him hitting on left foot. Accused Akashdeep Singh gave dang blow to Balwinder Singh hitting on his nose. Accused Akashdeep Singh gave another blow with dang hitting on left elbow of Balwinder Singh. Then accused Vatandeep Singh gave dang blow to Balwinder Singh hitting on his head. Thereafter, all assailants escaped from the spot after damaging tractor and Bolero car. They managed to decamp with Rs. 2,00,000/- lacs which was lying in the Bolero vehicle.

7. There have been specific allegations against accused applicant as he alleged to have caused grievous injury with sharp edged weapon Datar on the person of complainant on his left arm wrist. So, given these facts that offence are serious in nature and that even recovery of weapon used in the occurrence is required to be effected, custodial interrogation would be required. Hence, present

bail application is hereby dismissed. Police record be returned.

Record of present bail application be consigned to Record Room.

Pronounced

Dated:26/07/2023

Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)

Addl. Sessions Judge,

Gurdaspur.

Present: Shri Parun Bhagowalia, Advocate, counsel for
petitioners.
Shri Kiran Kumar, Ld. Additional P. P for State

Police record produced. Arguments heard. Vide my
separate detailed order of even date, the bail application has been
dismissed. Police record be returned. Record of present bail
application be consigned to record room.

Pronounced
Dated:26/07/2023
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Addl. Sessions Judge,
Gurdaspur.