

In the court of Ranjit Kumar Jain,
Additional Sessions Judge,
Patiala.(PB0077)

BA No.1604/2022
CNR No. PBPT010054342022
Date of Decision: 6.6.2022

Gurpreet Singh aged about 30 years son of Sh. Dhan Singh resident of
village Bujrak, Tehsil, Samana, District Patiala.

.....Applicant/accused

Versus

State of Punjab

....Respondent

FIR Number 108 dated 26.5.2022
Under Sections: 3(1)(r) (u) SC/ST Act &
Section 67 of Information Technology Act, 2000,
Police Station: Sadar, Samana, District Patiala

**First Application under Section 439 Cr.P.C. for grant of
bail**

Present: Sh. Rishi Chopra, Advocate for the applicant/accused
Sh. K.S. Bajwa, Addl.P.P for the State
Sh. NS Dhillon, Advocate for complainant

ORDER

1. This order of mine shall dispose of bail application as moved
by applicant/accused, under Section 439 Cr.P.C for grant of regular bail in
case FIR No. 108 dated 26.5.2022, under Section 3(1)(r) (u) SC/ST Act
& Section 67 of Information Technology Act, 2000, registered at
Police Station, Sadar, Samana, moved on the grounds that applicant has
been arrested in a false case and in judicial custody since 28.5.2022.
Applicant is innocent person. The matter has been compromised between
the complainant and applicant and in this regard compromise has been

Ranjit Kumar Jain,
ASJ/Pta/6.6.2022

executed between the parties and complainant has also executed an affidavit dated 27.5.2022. There is no reason to believe that applicant/accused has committed the alleged offence. The investigation in this case against applicant has already been completed and he is not more required for the purpose of investigation and nothing is required to be recovered from the applicant/accused. The applicant undertakes to abide by all the conditions, so imposed by the Court. Prayer is made for allowing the bail.

2. Brief facts of the case are that present case has been registered on the statement of Balvir Singh son of Sardara Singh resident of Bujrak on the allegations that on 25.5.2022 at about 5 p.m. his brother Sukhvir Singh Ghug played one Audio on his mobile phone which was made by Gurpreet Singh son of Dhan Singh of their village in which said Gurpreet Singh was singing a song by giving derogatory remarks against community and he also named complainant and his brother in the said song. On hearing this audio, the community was hurt. On the basis of statement, FIR is registered and investigation is pending.

3. Upon notice this application is contested by State. Report from concerned Police Station received that this is first bail application moved by applicant

4. Heard. Police file is called and same is perused. The said Audio/video is watched in the court. Derogatory remarks are there against community. Learned counsel for applicant submitted that compromise has

been effected but how only one person is competent to effect compromise. This compromise is no ground to grant bail. The investigation is pending and voice samples etc are also to be sent for report. If at this stage, applicant will be released on regular bail then he may effect the investigation and may tamper with evidence. So, I do not see any justification to grant regular bail to the applicant-accused at this stage and same is hereby dismissed. Police record be returned whereas bail application file be consigned to the record room.

Date of Order: 6.6.2022
jaspal singh stenographer-II

Ranjit Kumar Jain
Addl. Sessions Judge, Pta
UID NO. PB0077

Ranjit Kumar Jain,
ASJ/Pta/6.6.2022