

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

CIS No.BA/1915/2022
CNR No. PBGD01-004350-2022
Date of Order: 20.06.2022

Surjit Singh @ Jita s/o Sewa Singh, r/o Village Mare P.S.Tibber,
Tehsil and District Gurdaspur.

.....Petitioner

Versus

State of Punjab.

.....Respondent.

FIR No. 22 Dated 04.05.2022
U/Ss 324, 323,148, 149 IPC
and Section 326 & 325 IPC added lateron.
Police Station: Tibber.

Bail application under Section 438 Cr.P.C.

Present: Sh. Gurmail Singh Kahlon, Advocate, counsel for
petitioner.
Sh. Kiran Kumar, Ld. Addl. P.P for the State.

ORDER

Bail application put up before the undersigned being Judge
on Duty.

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

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

4. It is submitted by learned counsel for petitioner that the petitioner is innocent and he have been falsely implicated in this FIR. The counsel for petitioner has contended that present case is a version and cross version case. Infact the complainant party caused sever injuries to applicant and Sajjan Singh. Petitioner is ready to join investigation, so, he may be admitted to pre-arrest bail.

5. On the other hand, it is submitted by learned Addl. Public Prosecutor that the allegations against the petitioner are serious in nature and the custodial interrogation of petitioner is required for further investigation in the present case, as such, present bail application may kindly be dismissed.

6. I have considered rival contentions of learned counsel for petitioners, learned counsel for complainant as well as of learned Additional Public Prosecutor and also perused the record.

7. Present FIR was registered on the statement of Rantej Singh with the allegations that he is serving in private Company at Jammu. On 14.04.2022, he had come to home on leave. There was a dispute between his uncle Sajjan Singh and Surjit Singh with regard to the share of land and water pump, which was settled by the respectable persons of the village. His uncle had resiled from said compromise and on asking as to why they are closing the water pump. On 03.05.2022, at about 10:30 p.m, when he alongwith his father Kulwant Singh were entering into his home then from behind,

his uncle Sajjan Singh armed with kirpan, Surjit Singh son of Sewa Singh armed with datar, Kamalnoor armed with Kirpan, the brother in law of Surjit Singh armed with datar alongwith 3-4 unknown persons and the wife of one Jinda who was armed with Datar came and raised Lalkara to catch and teach them a lesson and erase the daily grind. Then accused Surjit Singh gave a blow with datar which hit on his right thumb. Accused Sajjan Singh gave two blows with Kirpan which hit on left arm and second blow hit on his left leg. On raising noise by him, his brothers Hardev Singh and Gurdev Singh rushed towards gate. Thereafter, all assailants also gave sever beatings to his brothers and his father Kulwant Singh.

8. In addition to the version that stated by complainant Rantej Singh as per the statement of the other three injured namely Hardev Singh, Kulwant Singh and Gurdev Singh, accused applicant alleged to have given as many as four datars blow on the persons of Hardev including blow on head two datars blows on the head of Kulwant Singh and also two datars blows on Gurdev Singh in all total 9 datars blows injuries are having been alleged to have been caused by the applicant out of which two have been opined grievous as well. The allegations are serious enough. Given the participation of the accused-applicant in the alleged occurrence causing as many as 9 injuries on as many as 4 persons and the manner of occurrence to be a matter of grave concern, so simply contending in such

circumstance that accused were admitted to bail earlier and offence under Section 326 IPC was added later on and for grant of concession of now pre-arrest bail for freshly added offence under Section 326 IPC as well could not be sustainable. Grant of pre-arrest bail would greatly harm the investigation and would impede the prospects of unearthing all the ramifications. So in view of above, given the gravity of offences, the manner of occurrence and even kind of active participation of the accused-applicant, this Court does deem it fit to grant the concession of pre-arrest bail. Hence, present bail application is hereby dismissed. Police record be returned. File be put up before the learned Sessions Judge, Gurdaspur for entrustment and consignment purpose.

Pronounced in open court.
Dt: 20.06.2022
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Addl. Sessions Judge,
Gurdaspur.UID No.PB00175
Duty Judge

Present: Sh.Gurmail Singh Kahlon, Advocate, counsel for
petitioner.
Sh. Kiran Kumar, Ld. Addl. P.P for the State

Bail application put up before the undersigned being
Judge on Duty.

Police record produced. Arguments heard. Vide my
separate detailed order of even date, present bail application has been
dismissed. Police record be returned. File be put up before the
learned Sessions Judge, Gurdaspur for entrustment and consignment
purpose.

Pronounced in open court.
Dt: 20.06.2022
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Addl. Sessions Judge,
Gurdaspur.UID No.PB00175
Duty Judge