

**IN THE COURT OF SH. K.K. GOYAL,
ADDL. SESSIONS JUDGE, MANSA.
(UID No.PB0117)**

CIS No.BA /1962/2023.
CNR No. PBMN010052202023.
Date of order :11.12.2023.

State

Versus

1. Dhanna Singh @ Jaswant Singh aged 36 years, son of Lakha Singh,
 2. Lovepreet Singh alias Lambu Singh aged about 18 years, son of
Dhanna Singh @ Jaswant Singh,
- Both are residents of Ward No.5, Bhikhi, District Mansa.

...Applicants/accused

FIR No.244 Dated 14.11.2023
U/s 452, 324, 148, 149, 427 IPC
P.S. Bhikhi, District Mansa.

First bail application under Section 438 of Cr.P.C.

Present: Sh. V.K. Singla, Advocate, counsel for the
applicants/accused.
Sh. P.S. Chahal, Addl.P.P for the State.

ORDER

1. Heard on an application for grant of bail filed by the
applicants/accused Dhanna Singh @ Jaswant Singh and Lovepreet Singh
alias Lambu Singh in FIR No.244 Dated 14.11.2023, U/s 452, 324, 148,
149, 427 IPC, P.S. Bhikhi, District Mansa .

2. Notice of bail application was issued to the State, but no
reply has been filed by the prosecution. Police record produced.

3. In brief, the story of prosecution is that on 14.11.2023, Jagsir Singh alias Jagga complainant made a statement with police to the effect that on 12.11.23, his minor sons Harman Singh and Maanvir Singh were bursting crackers in the street due to Diwali. At about 7:30 PM, he heard loud voices. He and his wife Rajo saw Khushpreet Singh and Labbu Singh were abusing his sons and stopping them from bursting crackers. He and his wife Rajo stopped Khushpreet Singh and Labbu Singh from abusing his sons and came inside the house. After sometime, on hearing noise, he saw that Dhanna Singh armed with 'sotti', Khushpreet Singh armed with iron rod fitted with gear, Labbu Singh armed with iron pipe, Manjit Kaur, Happy Singh and Lakha Singh having bricks/ Roraas were present in the street. Khushpreet Singh raised lalkara. He shut the door of his house. Thereafter all of them came inside the house after opening the door. Khushpreet Singh gave blows with iron pipe fitted with gear on his right ear and on little finger of right hand. He fell down. Dhanna Singh with sotti and Labbu Singh with iron pipe started beating him. Manjit Kaur, Happy Singh and Lakha Singh started breaking articles of his house with bricks/Roraas. When his mother Seeto intervened, Labbu Singh gave pipe blow on her right hand. Dhanna Singh pushed Seeto, due to which, she suffered injuries on her right knee. They also grappled with his wife and children. On raising raula, they ran away. Action be taken. On the basis of this statement, FIR was registered for the offence u/ss 452, 324, 148, 149, 427 IPC.

On 14.11.24 itself, Jaswant Singh son of Lakha Singjh made statement with police that Jagga Singh, Rajo, Harman, Maanvir, Amna Singh and Rachhpal Singh abused and quarreled with them. Jagsir Singh @ Jagga gave blow with iron 'Panja' on the left side of his head and gave blow with iron 'Sabbal' on the left shoulder of his father Lakha Singh. Action be taken. On the basis of his statement, cross version was recorded for offence u/s 323, 148 and 149 IPC.

4. Ld. Counsel for the applicants/accused has argued that they are innocent. A false FIR has been got registered against them. There was minor quarrel among the children on Diwali day. It is case of version and cross-version. Applicant/accused are ready to surrender and join investigation. They should be granted bail.

5. On the other hand, learned Addl. P.P for State opposed the bail application and has argued for dismissal of the bail application.

6. I have considered the respective submissions and have gone through the record.

7. As per allegations, applicant/accused Dhanna Singh and Lovepreet Singh @ Lambu Singh were armed with Sotti and iron pipe respectively. Lambu Singh gave iron pipe blow to Seeto on her right hand and Dhanna Singh pushed her on the ground, resulting in injury on her right knee. There are also general allegations that they gave beatings to complainant Jagsir Singh also. No injury is reflected in MLR of Jagsir Singh, which may be attributed to them. Injury attributed to them casused to Seeto are with blunt weapon and as per MLR no injury on her right

knee attributed to Dhanna Singh, could be ascertained. It is case of version and cross-version. Applicants/accused are ready to surrender and join the investigation. Considering the totality of facts, role attributed to the applicants/accused and without commenting upon the merits of the case, applicants/accused Dhanna Singh @ Jaswant Singh and Lovepreet Singh alias Lambu Singh are directed to join the investigation within 10 days from today and in that event, applicants/accused shall be released on interim bail by the investigating officer/arresting officer, subject to the conditions that they would make themselves available for interrogation by the Investigating Officer as and when required; that they will not directly or indirectly make any inducement, threat or promise to any person connected with the facts of the case so as to dissuade from deposing such facts before the Court or any police officer; and that they will not leave India without prior permission of the Court.

Let report be awaited for 22.12.2023.

Pronounced in open court.

Dated : 11.12.2023.

(K.K.GOYAL)

Addl. Sessions Judge, Mansa.

(UID No.PB0117)

Avinash Kumar
Stenographer-I