

**IN THE COURT OF SHRI PUSHVINDER SINGH, ADDITIONAL
SESSIONS JUDGE, GURDASPUR.**

Bail Application No. 316 of 25.07.2018

CIS No. BA 1971-2018

Date of order: 03.08.2018

**Satnam Singh son of Ajit Singh, resident of village Dhariwal, P.S.
Sri Hargobindpur, Tehsil Batala, District Gurdaspur.**

.....Accused/applicant.

Versus

State of Punjab

.....Respondent.

FIR No. 0064 of 18.06.2018

U/s 323/324/326/148/149 IPC

P.S. Sri Hargobindpur.

(1st Bail application under Section 438 Cr.P.C.)

**Present: Sh. R.S. Boparai, Advocate counsel for
accused/applicants.
Sh. Kiran Kumar, Addl. P.P for the State.**

ORDER:-

1. This application has been filed by applicant/accused Satnam Singh for anticipatory bail, stating that he is innocent and has been falsely implicated in the present case. There is delay of 8 days for lodging FIR which is unexplained. There is version and cross-version and it is yet to be determine that who is aggressor party. The injuries which are attributed to the accused/applicant they are on the non-vital parts of the body.

2. Notice of application was given to the State. Additional PP appeared and opposed the bail application. IO came present along with

police file.

3. I have heard learned APP for the State and learned counsel for the accused /applicant and also gone through the police record very carefully.

4. From perusal of the police file, I find that this case was registered on the basis of statement made by Dalbir Singh, who got recorded that on 10.06.2018 he, his two sons and wife were sleeping in their house, then at about 11.00 P.M. son of his uncle Satnam Singh armed with datar, Rajwinder Kaur daughter in law of his uncle armed with Gandasi and grand-son of his uncle Amrik Singh armed with Chhavi came along-with 5-6 unidentified persons riding on motorcycles and started abusing then. Rajwinder Kaur accused raised lalkara and on her instigation Satnam Singh gave datar blow on his head, he fell down on the earth and Satnam Singh gave another datar blows on his person. The injury No. 1 attributed to the applicant/accused was declared as grievous. The said injury was on the head of the complainant Balbir Singh which is vital part of his body. So, I find that for proper investigation custodial interrogation of applicant/accused Satnam Singh is required. Learned counsel for the applicant/accused has contended that co-accused have been granted anticipatory bail by this court but I find that the injuries attributed to the other accused were simple and were not caused on vital part of the body of the complainant. So, the case of the applicant/accused is different from them. The allegations against the applicant/accused are very serious as such he cannot be granted extra ordinary relief of anticipatory bail. I find, that proper investigation of the case, custodial interrogation of applicant is required. Even other wise, the Hon'ble Apex

Court has held in case titled as **Jai Parkash Singh Vs State of Bihar & another reported as 2012(2) RCR(Crl.) 251** “that Anticipatory bail can not be granted as a matter of rule. Anticipatory bail being an extraordinary privilege should be granted only in exceptional cases”. In the present case, there is no extraordinary or exceptional circumstance. Accordingly, the applicant/accused is not entitled for anticipatory bail. So, the bail application filed by applicant/accused Satnam Singh is hereby dismissed. Bail application file be consigned to the Record Room.

**(Pushvinder Singh),
Additional Sessions Judge,
Gurdaspur**

**Pronounced: 03.08.2018
Ragbir Singh, Stenographer-III,**

Satnam Singh Vs. State of Punjab

Present: Sh. R.S. Boparai, Advocate counsel for accused/applicant.
Sh. Kiran Kumar, Addl. PP for State.

I.O. along with police record came present. Arguments heard.
Vide my separate order of even date, the bail application moved by
applicant/accused Satnam Singh is hereby dismissed. Police record be
returned. Bail application file be consigned to the Record Room.

**(Pushvinder Singh),
Additional Sessions Judge,
Gurdaspur**

Pronounced: 03.08.2018
Raghubir Singh, Stenographer-III