

BA/20 Saraj Singh Vs. State

Present:- Shri Amit Ohri APP for the State

Shri JS Wlasra Adv. for the applicant/accused

ORDER

Vide this order, I shall dispose of bail application filed on behalf of applicant/accused, under Section 326/324/323/148/149 IPC.

2. Notice of the application was given to the State and record of the case was called and perused. Statement of ASI Roshan Singh has been recorded in which he stated that accused was arrested on 09.02.23, and the bail application has been dismissed by Hon'ble High Court. APP for State also suffered separate statement to aforesaid effect.

3. Brief, facts of the case of prosecution are that the present rapat was registered against the applicant/accused on the allegations that he alongwith his accomplices inflicted injury with kirpan on the fingers of Gurmeet Singh s/o Jagir Singh.

4. The learned counsel for the applicant/accused argued that false FIR has been registered against applicant. Accused person is in judicial custody from 9.02.23 and he is not required for investigation by the police. No offence is made out against accused person. Applicant has not committed any offence as alleged in the FIR. Hence the present bail application be allowed.

5. Upon notice, the learned APP for the State appeared and opposed the bail application on the ground that accused person has committed serious offences. So he is not entitled for concession of bail. There are chances of absconding of the accused.

6. I have heard learned counsel for the applicant/accused, learned APP for the State and carefully perused the record of the case.

7. After hearing rival contentions of both the parties, the court is of the opinion that applicant/accused person is roped in very serious allegations. No material has been brought to the notice of this court by the counsel for the accused to show that the accused has been falsely implicated. Perusal of the record shows that the accused is in custody since 9.2.23. The court on considering the nature and gravity of accusations, possibility of fleeing from justice and seriousness and severity of the offences involved does not deem it a fit case for concession of bail at this stage. The contention of the applicant whether he has been falsely implicated in the present case or not are matter of evidence. Allegations against accused person with regard to offence alleged by the prosecution are serious in nature. Hence the bail application deserves no merit and stands dismissed. Papers be attached with the main file.

Pronounced in the Open Court:

12.09.2022

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(Lovepreet Kaur), PCS,
Judicial Magistrate Ist Class,
Guruharsahai