

**In the court of Sh. Vijay Kumar,
Additional Sessions Judge, Fazilka.
(UID No. PB-0154)**

	BA/199/2021. CNR No. PBFZC0-00004492021. Date of Decision:-09.02.2021.
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Rajinder Kumar aged 43 years son of Magha Ram resident of Village Khuian Sarwar (Waryam Khera) Tehsil & District Fazilka.

.....Applicant-accused.

Versus

State of Punjab.

... Respondent.

FIR No.176 dated 09.12.2020.

U/s 307, 324, 323, 148, 149 IPC.

Police Station: Khuian Sarwar.

[Bail application U/s 439 of Cr.P.C.]

Present: Shri Balwant Singh, Adv., counsel for applicant/accused.
Ms. Shikha, APP for the State.

ORDER:

Rajinder Kumar had filed the present bail application in FIR No.176 dated 09.12.2020 registered at police station, Khuian Sarwar under Sections 307, 324, 323, 148, 149 IPC, for releasing him on bail.

2. Brief facts of the bail application are that a false case has been registered against the applicant. Applicant further stated that from the allegations of FIR, neither any offence under Section 307 IPC is made out nor there is any medical evidence to prove the said offence. Applicant further stated that there is long standing dispute between his brother Pawan Kumar and wife of Pawan Kumar who is daughter of complainant. Applicant further stated that Pawan Kumar moved applications against the complainant and his family members and now Pawan Kumar had died. Applicant further stated that complainant and his family members want to grab the property of deceased Pawan Kumar and due to

this reason, the present false case was got registered. Applicant further stated that he is in custody since 11.12.2020. Applicant further stated that he undertakes to abide by the terms and conditions to be imposed by this court. Hence, prayed that he be admitted to bail.

3. Upon notice Learned APP appeared on behalf of State and contested the bail application. Learned APP argued that on 07.12.2020 in the area of police station Khuian Sarwar, applicant and others caused simple as well as grievous injuries on the person of complainant with the intention to kill the complainant. Hence, prayed for dismissal of the bail application.

4. I have heard learned counsel for the applicant/accused, APP for the State and have carefully gone through the records of the case.

5. Present FIR No.176 dated 09.12.2020 was registered at police station Khuian Sarwar under Sections 307, 324, 323, 148, 149 IPC. Present case was registered against the applicant and others on the ground that on 07.12.2020 in the area of police station Khuian Sarwar, applicant and others caused simple as well as grievous injuries on the person of complainant with the intention to kill the complainant. During the course of arguments, learned APP pointed out the FIR and stated that applicant was armed with Dang and he had given Dang blows on the arm and on the head of the complainant. So, from the perusal of the record, it is clear that there are serious allegations against the applicant that he alongwith others caused simple as well as grievous injuries on the person of complainant with the intention to kill the complainant. Seeing the gravity of offence, no ground is made out to release the applicant-accused on bail. Therefore, the present bail application stands dismissed. File be consigned to the record room.

Pronounced in open court.
Dt.09.02.2021.

'Vinay Kumar', Steno-I

(Vijay Kumar)
Addl. Sessions Judge,
Fazilka.UID No: PB0154