

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-35082-2018

Date of decision:-27.9.2018

Baljit Singh @ Beeta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.R.S. Sekhon, Advocate
for the petitioner.

Ms.Samina Dhir, DAG, Punjab.

H.S. MADAAN, J.

This petition for regular bail has been filed by petitioner –
Baljit Singh @ Beeta– an accused in FIR No.233 dated 15.10.2017, under
Sections 452, 354, 323 IPC, registered with Police Station Ghall Khurd.

Briefly stated, the facts of the case, as per the prosecution
story are that on the intervening night of 13/14.10.2017 when complainant
Sukhjinder Kaur wife of Balwinder Singh, resident of village Uggo Ke
along with her son was sleeping in a room of her house, then at about 2:00

a.m. in the early morning hours, petitioner/accused Baljit Singh @ Beeta after scaling the outer wall of her house trespassed in the house and started giving beatings to complainant with handle of his axe causing injuries to her on right eye, forehead, right eye brow and breast; when the complainant raised an alarm, he ran away from the spot along with his axe.

Formal FIR was recorded on the basis of statement of complainant Sukhjinder Kaur. Investigation in the case was started. Accused was arrested on 1.7.2018. After completion of investigation, challan has since been filed in the Court of Illaqa Magistrate on 3.8.2018. Charge has been framed and now the case is fixed for prosecution evidence for 26.9.2018.

The petitioner/accused had filed an application for regular bail in the Court of Sessions, which was declined by learned Additional Sessions Judge, Ferozepur vide order dated 3.8.2018, as such, he has approached this Court with the same request.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

The allegations against the petitioner are very grave and serious of trespassing in the house of complainant in early morning hours and then assaulting her with an axe causing injuries to her, molesting her by hitting the complainant on the breast with his axe. Such type of conduct cannot be taken lightly lest that should send a wrong message in

the society that one can indulge in such type of crime and then let off from custody by the Court soon thereafter. The challan against the petitioner has since been filed and the trial is going on. His guilt shall be determined during the trial. Along with the gravity and seriousness of allegations against the petitioner, there is apprehension of his trying to tamper with the prosecution evidence and even to abscond, if granted bail. The trial against the petitioner is likely to be concluded in near future.

Therefore, finding no merit in the petition, the same stands dismissed.

27.9.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No