

**In the Court of Sh.Daljit Singh Ralhan,
Additional Sessions Judge,
Amritsar. (UID No. PB0198)**

CNR No. PBAS010090602023



Case No. BA/3015/2023

Presented on : 25-05-2023
Registered on : 26-05-2023
Decided on : 1.6.2023.

State

Versus

1. Sukhwinder Singh son of Sulakhan Singh, aged 54 years,
 2. Sukha Singh @ Sukhwinder Singh, s/o Ajaib Singh, aged about 40 years, both rs/o Village Jatta, Tehsil Ajnala, District Amritsar.
- Applicants/accused.

FIR No. 33 dated 21.4.2023.
 U/s. 379,186,353,506,148,149 IPC.
 PS Ramdass

Ist application for bail u/s 438 Cr.P.C.

Present: Sh.D.S.Gill, Advocate, counsel for applicant-accused.
 Sh.Inderpal Singh Sandhu, Additional P.P for the State,

ORDER:

1. This order of mine shall dispose of aforesaid application of applicant-accused Sukhwinder Singh and Sukha Singh @ Sukhwinder Singh, for grant of anticipatory bail filed by them under the provisions of Section 438 of Cr.P.C in the present case FIR No.33 dated 21.4.2023 u/s. 379,186,353,506,148,149 IPC, PS Ramdass on the averments that applicant is innocent and has not committed any offence as alleged in the

FIR. No specific role is attributed to the accused-applicant. Applicant is ready to join the investigation.

2. Notice of this bail application was given to the State, upon which, learned Additional PP for the State appeared and contested the same. SI Sukhwinderjit Singh has appeared alongwith police record and his separate statement has been recorded.

3. As per prosecution version, present case was registered on the written complaint of complainant Gulraj Singh Forest Guard, Incharge Kamalpur Beat made by him against accused Sukhwinder Singh son of Sulkhan Singh, Tarlochan Singh son of Sukhwinder Singh, Sukha son of Ajaib Singh, Nazar son of Dara Masih and some unidentified persons, to the effect that on 21.4.2023 at about 9.30 PM he received information that illegal cutting of trees was being done in the area of Kamalpur. When he reached at the spot accused started abusing them. Taking advantage of night some of the associates of accused fled away alongwith wood cut by them.

4. Learned counsel for the accused/applicants has argued that applicants are innocent. He argued that nothing is to be recovered from the accused-applicants. They are ready to join the investigation.

5. On the other hand, learned Additional P.P for the State refuted the allegations and submitted that accused/applicants have committed heinous offence and keeping in view the gravity of the offence committed by the accused-applicants, they do not deserve concession of bail.

6. After hearing the Learned Counsel for the applicant-accused and Learned Additional PP for the State, it reveals that as per allegations levelled by complainant allegation against accused-applicants Sukhwinder Singh and Sukha are that they cut and stole tress belonging to government and also abused Gulraj Singh Forest Guard, Incharge Kamalpur Beat. SI Sukhwinder Singh has made statement that Custodial interrogation of accused-applicants Sukhwinder Singh and Sukha is required to join them into investigation, to know modus-operandi adopted for commission of offence and to recover the stolen wood and instruments of cutting trees. Allegations against the applicants-accused are grave and serious in nature and their custodial interrogation must be required to complete the chain of investigation, to recover the stolen tress, instruments used for cutting trees and to know the modus-operandi adopted for commission of offence.

7. Keeping in view the gravity of the offences and seriousness of the allegations, I do not find any ground to grant anticipatory bail to accused/applicants. Hence, present application of accused-applicants for grant of anticipatory bail is dismissed. Police record be returned alongwith copy of this order. Bail application file be consigned to record room.

Pronounced.
Dated: 1.6.2023.

(Anil J.W)

(Daljit Singh Ralhan)
Additional Sessions Judge,
Amritsar.
(UID No. PB0198)