

**IN THE COURT OF MS.VISHAVJYOTI, PCS
JUDICIAL MAGISTRATE 1ST CLASS,
SRI ANANDPUR SAHIB, UID-PB0560**



Presented on : 23-06-2026
Registered on : 23-06-2026
Decided on : 27-07-2026
Duration : 0 years, 1 months, 4 days

State of Punjab

Versus

1. **Paramjit Singh** son of Gulzar Singh
2. **Rampreet Singh @ Preet** son of Bhupinder Singh
3. **Lovepreet Singh** son of Paramjit Singh
4. **Sukhwinder Kaur** wife of Paramjit Singh

All residents of village Bahman Majra, PS Nurpur Bedi, District
Rupnagar.

.....Accused

FIR No.107 dated 02.09.2025
U/s 115(2), 118(1), 351(2), 3(5), 238 BNS
Cross-case DDR No.19 dated 02.09.2025
Under Sections 115(2), 333, 351(2), 191(3)
190 BNS later Section 238 BNS added
Police Station Nurpur Bedi

Present: Sh. Gursewak Singh, Learned APP for the State.
Accused Paramjit Singh, Rampreet Singh @ Preet,
Lovpreet Singh and Sukhwinder Kaur on bail, represented
by Ms. Shweta Sharma, Advocate.

JUDGMENT:-

Above named accused persons have been sent up by Station
House Officer of Police Station Nurpur Bedi to face trial for the

commission of an offence punishable under 115(2), 333, 351(2), 191(3), 190, 238 of BNS in the above noted DDR.

2. In brief, the factual matrix of the case as stated in the police report under Section 173 Cr.P.C. is that DDR in the present case was registered on the basis of statement of complainant of the present case namely Mandeep Kaur wife of Prem Singh resident of village Bahman Majra, PS Nurpur Bedi, District Rupnagar, who got recorded her statement before ASI Malkit Singh to the effect that she is a housewife. On 29.08.2025 at about 09:30 PM she was cooking in the kitchen. She was alone at home, when Paramjit Singh of her village, who was in drunken state, came there and grabbed the shirt of complainant and started fighting with her. When the complainant stopped him from doing so, he bit the left arm of complainant, due to which blood started oozing. Thereafter, complainant raised raula and after hearing the same, her son Inderjit Singh came at the spot. Thereafter, Paramjit Singh pushed her due to which she fell on the ground and Paramjit Singh fled away from the spot. Meanwhile, sons of Paramjit Singh namely Lovepreet and Labhi along with wife namely Jaswinder Kaur also came outside. That the above said accused persons inflicted injuries to complainant and when complainant's son tried to rescue her, Paramjit Singh gave pipe blow on the right side of neck of complainant's son due to which son of complainant fell on the ground and complainant raised raula '*marta-marta*'. Then complainant's nephew Daljit Singh and other persons rescued them. During the fighting, Paramjit Singh

also called his nephew Preet at the spot who also gave beatings to the complainant and her son. When the people gathered at the spot, all the accused fled away from the spot while threatening the victims of dire consequences. Then nephew of complainant namely Talwinder Singh got admitted complainant and her son in the hospital, Singhpur for medical treatment. Accordingly, the complainant prayed to take action against the accused.

3. Thereafter, investigation was carried out. Site plan of the place of occurrence was prepared. Birth certificate and 8th class certificate of accused Navdeep Singh was taken into police possession as he is juvenile. Accused was arrested. Section 238 of BNS was added later on. Statements of witnesses were recorded. After the completion of an investigation and other formalities, challan against accused Onkar Singh was presented in the Court under **Sections 115(2), 333, 351(2), 191(3), 190, 238 of BNS.**

4. On appearance of the accused, copies of challan form and other documents relied upon by the prosecution were supplied to the accused free of costs as required **U/s. 207 Cr.P.C.**

5. A prima-facie case having been made out against the accused under **Sections 115(2), 333, 351(2), 191(3), 190, 238 of BNS**, charges were accordingly framed against the accused, to which, they pleaded not guilty and claimed trial.

6. In order to prove the charges against the accused, prosecution firstly examined **star/material witness of the present case i.e. complainant**

Mandeep Kaur as **PW1**, however, she did not support the prosecution version and turned hostile. She in her examination-in-chief has specifically deposed that *she has not got recorded any statement to the police in the present case against accused. She has no grudge against any of accused. Accused never caused any injuries to her and anyone from her house. On this*, this witness was declared hostile on the request of learned APP for the State with the permission of the Court and was allowed to be cross-examined by learned APP for the State. But during her cross-examination, nothing material came out in favour of the prosecution. Attention of **PW1/complainant** was also drawn towards her statement **Mark-A** from portion A to A1 and same was read over to the witness in simple language but she denied having made such statement before the police. She denied the suggestion that statement Mark A was recorded by the police at her instance and the same was read over to her by the police and after admitting the contents of the same as correct, she signed the same. She further denied the suggestion that she has compromised the matter with the accused. She further denied the suggestion that she has resiled from her statement intentionally in order to save the accused from legal punishment.

7. Thereafter, prosecution got examined the **Prem Singh** as **PW2**, however, he like PW1/complainant also did not support the prosecution version and turned hostile. He in his examination-in-chief has specifically deposed that *he has not got recorded any statement to the police in the present case against accused. He has no grudge against any of accused.*

Accused never caused any injuries to him and his wife. On this, this witness was declared hostile on the request of learned APP for the State with the permission of the Court and was allowed to be cross-examined by learned APP for the State. But during his cross-examination, nothing material came out in favour of the prosecution. Attention of **PW2** was also drawn towards his statement **Mark-B** from portion B to B1 and the same was read over to witness in simple language but he denied having made any such statement to the police. He denied the suggestion that statement **Mark-B** was recorded by the police officials at his instance and the same was read over to him by the police and after admitting the contents of the same as correct, he signed the same. He further denied the suggestion that he has compromised the matter with the accused. He further denied the suggestion that he has resiled from his statement intentionally in order to save the accused from legal punishment.

8. Lastly, prosecution got examined **Investigating Officer** of the present case namely **ASI Malkit Singh** as **PW3**, who deposed in his examination-in-chief with regard to the investigation part conducted by him in the present case and proved on record the documents prepared by him during investigation such as statement of complainant as Ex.PW3/A, police proceedings as Ex.PW3/B, cross case i.e. DDR No.19 dated 02.09.2025 as Ex.PW3/C, rough site plan as Ex.PW3/D, MLR report of Mandeep Kaur as Ex.PW3/E, injury report as Ex.PW3/F and X-ray films of injured Mandeep Kaur as Ex.PW3/G, arrest-cum-intimation of accused

Loverpreet Singh, Sukhwinder Kaur, Paramjit Singh and Rampreet Singh as Ex.PW3/H to Ex.PW3/K and their personal search memo as Ex.PW3/L to Ex.PW3/O. He also identified the accused persons in the Court.

9. Thereafter, remaining evidence of prosecution was closed by vide order dated 23.07.2026.

10. Then, statement under **Section 313 Cr.P.C** of accused was recorded in which all the incriminating evidence appearing against the accused was put to them, to which they denied the same and pleaded their innocence and false implication in the case. Accused did not opt to lead defence evidence.

11. I have heard the learned APP for the State and learned defence counsel and have gone through the case file very minutely with their able assistance.

12. Learned APP for the State has raised argument that though the complainant and other material witnesses examined as PW1 and PW2 have not supported the case of prosecution, but even then and otherwise the accused cannot be scot free. The evidence of other prosecution witnesses and the evidence that has been collected by investigation agency in the shape of statements of witnesses recorded under Section 161 Cr.P.C. is sufficient to hold the accused guilty for the offence punishable under Sections **Sections 115(2), 333, 351(2), 191(3), 190, 238 of BNS** and accordingly, they can be convicted. Accordingly, he prayed that accused be sentenced with maximum sentence as provided under law.

13. On the other hand, defence counsel has raised his counter argument by contending that the case of prosecution does not stand proved at all as the main witnesses i.e. complainant and eye-witnesses has not supported the case of the prosecution and hence, accused are liable to be acquitted from the charge framed against them by giving them benefit of doubt.

14. This Court has heard the submissions made by Learned APP for the State as well as those of learned defence counsel and has also scrutinized the entire oral and documentary evidence that has been proved on the file by prosecution. In view of above, following points of determination emerge out of the case.

POINTS FOR DETERMINATION-

- a. Whether on 30.08.2025 at about 09:30 PM in the area of village Bahman Majra, accused in furtherance of common intention of each other voluntarily caused injuries to complainant Mandeep Kaur and committed an offence u/s 115(2) BNS read with Section 3(5) of BNS?
- b. Whether on the same time, date and place as above, accused in prosecution of common object of an unlawful assembly formed by accused, committed criminal house trespass by entering into the house of complainant Mandeep Kaur by making preparation to cause hurt to Mandeep Kaur and thus committed an offence u/s 333 BNS?

- c. Whether on the same time, date and place as above, accused voluntarily criminally intimidated complainant Mandeep Kaur and thus committed an offence u/s 351(2) BNS?
- d. Whether on the same time, date and place as above, accused were members of an unlawful assembly formed by them in prosecution of common object of rioting and to cause injuries to Mandeep Kaur and accused were armed with deadly weapons and thus committed an offence u/s 191(3) BNS?
- e. Whether on the same time, date and place as above, accused in prosecution of an unlawful assembly formed by accused, caused injuries to Mandeep Kaur by means of pipe and thus committed an offence u/s 190 BNS read with Section 115(2) BNS?
- f. Whether after aforesaid occurrence, accused in order to disappearance evidence against them disposed of the weapons of offence being used in occurrence and thus committed an offence u/s 238 of BNS?

Points of Determination (a to f):-

15. After giving thoughtful consideration to rival submissions made by learned APP for the State as well as those of defence counsel and after going through the entire record of the case very carefully, this Court is of considered view that in criminal law, it is the prosecution that has to prove its case beyond reasonable shadow of doubt and that too on the strength of its own evidence. No Advantage can be derived by the prosecution of the weakness of the case of the defense. The accused is at liberty and has got constitutional right to remain silent during the entire

trial. Applying these principles to the facts and circumstances of the present case, this Court is of the view that certainly the **star witnesses of the case i.e. complainant Mandeep Kaur and Prem Singh as PW1 and PW2** have not supported the case of prosecution in any manner. **PW1/complainant Mandeep Kaur** in her examination-in-chief has specifically deposed that *she has not got recorded any statement to the police in the present case against accused. She has no grudge against any of accused. Accused never caused any injuries to her and anyone from her house.* Similarly, **PW2/Prem Singh** in his examination-in-chief has specifically deposed that *he has not got recorded any statement to the police in the present case against accused. He has no grudge against any of accused. Accused never caused any injuries to him and his wife.* However, **PW3** ASI Malkit Singh, Investigating Officer has only deposed about the investigation part conducted by him and proved on record documents prepared by him during investigation and the above said witness is not the eye-witness to the occurrence and his role came into picture much after the alleged incident and in this way, prosecution has failed to prove its case/charges against the accused. It is well settled law that if the prosecution fails in proving the charge against the accused on account of lack of credible evidence of prosecution, due to such statements, the case of prosecution falls flat, then accused is bound to be acquitted from the charge against the accused. The cardinal Principle of Criminal law is that the prosecution has to prove its case beyond reasonable shadow of doubt and once slight bit of doubt arises

in prosecution case the benefit of the same has to be substantiated in favour of accused.

16. Hence, from the discussion made above, the prosecution has miserably failed to prove its case against the accused beyond the shadow of reasonable doubt. Accordingly, points of determination (a to f) are decided in favour of accused and **accused Paramjit Singh, Rampreet Singh @ Preet, Lovpreet Singh and Sukhwinder Kaur** are **acquitted** from the charges framed against them. The bail bonds and surety bonds of accused are kept intact for another six months in compliance of Section 437-A Cr.P.C only for the reason that in case of any appeal or revision against this judgment, the accused has to ensure their appearance before the learned Appellate or Revisional Court. In case no appeal or revision is preferred or otherwise, after the expiry of six months, these bonds shall stand automatically discharged. Case property, if any, be dealt as per rules. File be consigned to Judicial Record Room, Sri Anandpur Sahib after due compliance.

Pronounced in Open Court:

Dated: 27.07.2026

Arinder Singh, Stenographer-II
Directly dictated/typed on computer

(Vishavjyoti)
Judicial Magistrate Ist Class
Sri Anandpur Sahib
UID-PB0560

Certified that this judgment contains 10 pages and each page has been duly signed by me.

(Vishavjyoti)
Judicial Magistrate Ist Class,
Sri Anandpur Sahib
UID-PB0560