

**IN THE COUR OF HARDIP SINGH
ADDITIONAL SESSIONS JUDGE
FEROZEPUR.**

**CNR No.PBFZ0100-7126-2024
CIS No. BA/2770 of 2024
Date of Order: 12.12.2024**

Manpreet @ Sonu Waghal aged 25 years son of Malkit Singh, resident of village Rukna Mungla, Post Office Patel Nagar, Tehsil and District Ferozepur. **... *Applicant/Accused.***

Versus

State of Punjab. **....*Respondent.***

FIR No.118, dated 08.11.2018
U/s 307, 452, 323, 427, 148, 149 IPC and
25/27/54/59 Arms Act
Police Station Kulgarhi.

(Application for bail under Section 483 of BNSS)

Present: Sh. Sandeep Bajaj, Advocate, counsel for applicant/
accused.
Sh. Sahib Singh, Additional Public Prosecutor for State.

O R D E R

1. Heard on the bail application filed by applicant/accused Manpreet @ Sonu Waghal, under section 483 of BNSS in case bearing FIR No. 118, dated 08.11.2018, under sections 307, 452, 323, 427, 148, 149 IPC and 25/27/54/59 Arms Act, Police Station Kulgarhi.
2. Learned counsel for the applicant/accused has argued and contended that present case against the applicant/accused is false and baseless. The name of the applicant/accused does not figure in the FIR

and he has been lateron nominated vide rapat No. 40 dated 24.04.2022. No offence is made out against the applicant/accused from the contents of the FIR. Applicant/accused is in custody since 17.11.2024 and is no more required for further investigation. Hence, a prayer has been made for grant of bail.

3. Notice of the bail application was given to the State, through learned Additional Public Prosecutor for the State, who appeared and opposed the present bail application on the ground that the applicant/accused has been nominated on the basis of supplementary statement of complainant. He has taken active participation in the occurrence. As such, he has committed heinous crime, so he is not entitled to bail. Accordingly, prayer has been made for dismissal of bail application.

4. Heard. Perusal of the file shows that present FIR has been got registered by complainant Gurmej Singh son of Sarja against co-accused/non-applicants Sheeshu, Ravi, Sanam, Gurbhe Singh, Ramesh Kumar, Peeti, Gurjeet Singh, Rahul and four unknown persons with the allegations that on Diwali night on 07.11.2018 at about 9:45 PM gate of the house of the complainant was open and lights were glowing and complainant and his family were having meals and in the mean while accused Sheeshu, Ravi, Sanam and Gurbej all while being armed with

pistols alongwith accused Ramesh, Peeti, Gurjeet Singh while being armed with sticks and accused Rahul empty handed alongwith 4-5 unknown persons armed with sticks entered into his house and Ramesh Kumar raised lalkara to catch the complainant and to teach him a lesson for giving information to police against them. Then accused Sheeshu and Ravi with intention to kill the complainant fired upon him, but complainant went to his roof and sat there. Then accused Sanam and Gurbhej followed him to the roof and then all the accused caused injuries to him and on raising hue and cries, when the persons from the surrounding started gathering all the assailants fled away from the spot with their respective weapons. Lateron, complainant suffered a supplementary statement on 24.04.2022, wherein he nominated the applicant/accused being one of the unknown persons, who alongwith other accused caused injuries to him. As such name of the applicant/accused has surfaced in this case.

5. Further perusal of the record shows that as per version of the complainant, the occurrence took place on 07.11.2018 and after about 3-1/2 years of occurrence, the complainant got recorded his supplementary statement, on the basis of which, the name of the applicant/accused has been nominated in the present case. Moreover, as per the initial statement as well as as per the supplementary

statement of the complainant, no specific role has been attributed to the applicant/accused and the only allegation against the applicant/accused is that he alongwith other co-accused caused injuries to the complainant. It is admitted fact that applicant/accused is in custody since 17.11.2024, so at this stage, nothing seems to be recoverable from the applicant/accused. Therefore, this court is of the considered view that investigating agency will take considerable time in presenting the challan against applicant/accused and conclusion of trial shall also take time and no purpose will be served by further detaining the applicant/accused behind bars. As such, I deem it fit to release the applicant/accused on regular bail, subject to furnishing of bail bonds in the sum of Rs. 50,000/- with one surety in the like amount before the learned Illaqa/Duty Magistrate, subject to its satisfaction. Accordingly, the present bail application stands allowed and disposed of. Anything said in this order shall not affect the merits of the main trial in any manner. Trial court record be returned alongwith copy of this order. **A copy of this order be sent to Superintendent, Central Jail, Ferozepur for information.** Bail application file be consigned to the record room.

Announced in open Court.
Dated:12.12.2024

Pritpal Singh
Stenographer Gr. II

Sd/- (Hardip Singh)
Additional Sessions Judge
Ferozepur.
UID No.PB0638