

**IN THE COURT OF MANJINDER,
ADDITIONAL SESSIONS JUDGE-FAST TRACK,
SPECIAL COURT, SANGRUR.
(UID Number PB0181)**

Bail Application no.3 of 2025
CNR no. PBSG 01000001-2025
Date of decision 14.1.2025

Sukhwant Singh, aged about 71 years son of Shingara Singh, resident of village Chhabilpur, Post Office Kalbano, District Patiala.

... Applicant

Versus

State of Punjab

... Respondent

FIR no. 193 dated 10.11.2024
Under Sections 125, 351, 3(5) of BNS, 2023
Sections 109, 324(4) and 61(2) BNS, 2023 added later
on and Section 25 and 27 of Arms Act
Police Station Dirba, Sangrur

Bail Application under Section 483 BNSS

Present: Sh.P.S.Bhinder, Advocate, counsel for applicant-
accused
Sh. Yashdeep Bhardwaj, Addl.PP for the State
assisted by Sh.Kirandeep Singh Sidhu, Advocate,
for complainant

ORDER

1. An application for grant of regular bail in a case FIR no. 193 dated 10.11.2024 under Sections 125, 351, 3(5) of BNS, 2023, sections 109, 324(4) and 61(2) BNS, 2023 added later on and Section 25 and 27 of

Arms Act, Police Station Dirba, Sangrur has been filed on behalf of applicant-accused.

2. Upon notice, Sh. Yashdeep Bhardwaj, Addl. PP appeared on behalf of State and Sh.Kirandeep Singh sidhu, Advocate on behalf of complainant.

3. I have heard the learned counsel for the applicant-accused and learned Addl. PP for the State/ learned counsel for complainant and have gone through the record.

4. Learned counsel for the applicant-accused has submitted that applicant-accused has been illegally arrested in the instant case i.e. FIR no.193 dated 10.11.2024, at the instance of complainant Karamjit Singh. Applicant-accused is innocent. He is not even named in the FIR. During investigation, police had come to know that it was Sandeep Singh alias Soni (co-accused) who had fired shots at the gate of house of complainant and no such allegation have been levelled against the applicant-accused, who has been arrested merely because he is father of said Sandeep Singh. Applicant-accused has already disinherited his son Sandeep Singh from all his movable and immovable properties and he (applicant-accused) has no concern or connection with Sandeep Singh. Learned counsel for applicant-accused has further submitted that since co-accused Sandeep Singh had fired shots, therefore, no offence under Arms Act is made out against the applicant-accused. Even offences under Section 109 and 125 BNS are also not made out against the applicant-accused. The version of FIR does not inspire confidence. It is very surprising that complainant and

his younger brother woke up early morning at about 1:15 am and had gone to the roof of the house when the said incident of firing had taken place. The said version is not believable. Furthermore, there is no enmity of applicant-accused with the complainant, as such there is no motive for the applicant-accused to indulge in such crime. The matter in this case has been reported to the police at about 10:30 pm i.e. after more than 9 hours of alleged occurrence and there is no explanation qua delay. Infact, complainant was having some dispute with father in law of Rupinder Kaur (daughter of complainant's deceased brother Major Singh), whereas applicant-accused was not having enmity with the complainant. Nothing has been recovered from the applicant-accused. He is in custody since 27.12.2024. Presentation of challan and its conclusion will take time. No useful purpose would be served by detaining the applicant-accused behind the bars. So the bail application of the applicant-accused be allowed.

5. On the other hand, learned Addl. PP for the State has opposed the bail application on the ground that grave and serious offence has been committed by the applicant-accused, so bail application of the applicant-accused be dismissed.

6. The prosecution case is that in the intervening night of 9.11.2024/10.11.2024 at about 1:15 am complainant Karamjit Singh woke up to urinate. His younger brother Hardeep Singh also woke up and both came to the courtyard of the house and then complainant went upstairs. He saw that one car stopped in front of his gate and two persons came out

from the said car and fired two shots towards the main gate of his house. On the basis of statement of complainant an FIR under Section 125, 351, 3(5) BNS, 25 Arms Act was registered against three unknown persons. During investigation, it was found that one of the person who fired shot at the gate of complainant's house was Sandeep Singh alias Soni. So he was nominated as an accused in this case. Thereafter, on 12.11.2024 statement of Harmeet Singh son of Sukhpal Singh was recorded. He has stated that on enquiry he came to know that on that day Gurpreet Singh alias Gaggu and Varinder Singh were alongwith Sandeep Singh alias Soni. When his paternal uncle's son Hardeep Singh son of Shera Singh asked them who they were then they on hearing his voice and on seeing him with an intention to kill him fired shots towards Hardeep Singh which hit on the gate. On the basis of abovesaid statement, Gurpreet Singh alias Gaggu and Varinder Singh were nominated as an accused in this case and an offence under Section 109 IPC was added. During further investigation statement of Hardeep Singh son of Shera Singh was recorded who stated that his niece Rupinder Kaur and her husband Navdeep Singh were having dispute who are living in America and Randeep Singh, father of Navdeep Singh had sent ransom money to accused Sandeep Singh through Jassa Singh Bakraha. The said amount had come in the account of Sharanpreet Kaur wife of Sandeep Singh. On 9.11.2024 accused Sandeep Singh had gone in Scorpio no. DL-4CNB-7665 to conduct recky and at that time his father Sukhwant Singh (applicant-accused) had accompanied him. Thereafter, the present occurrence had taken place. On the basis of

abovesaid statement, applicant -accused Sukhwant Singh was nominated as an accused in this case. Thus, there are specific allegations against the applicant-accused which are serious in nature. So, keeping in view the facts and circumstances of the case, the nature of allegations and the gravity of the offence, I do not deem it fit to grant regular bail to applicant-accused. So, the bail application is dismissed. File be consigned to the record room.

Pronounced in open court

Date of order 14.1.2025

Ravinder Kaur
Stenographer-I

(Manjinder)
ASJ/Fast Track, Special Court, Sangrur
UID NO . PB00181