

**In the court of Sardar Harjeet Singh, Additional Sessions Judge,
Moga. (UID No.PB0131)**

CIS No.BA/311/2023
CNR No.PBMO01000895-2022
Date of Decision: 15.02.2023

State of Punjab

Versus

Lovepreet Singh alias Ravi son of Jagjit Singh son of Bakhtour Singh resident
of village Dala, Tehsil and District Moga.

...Accused/Applicant

FIR No.122 dated 14.07.2020,
Under sections 302, 34, 120-B IPC and
Section 25, 54, 59 Arms Act
P.S. City South, Moga.

(Bail application u/s 439 Cr.P.C.)

Present: Sh. G.S.Brar Advocate, for applicant/accused
Sh. Anshuman Syal Addl.PP for the State

ORDER

Vide this order, I intend to dispose of bail application under
Section 439 Cr.P.C filed by applicant-accused in the FIR mentioned above.

Main file received and perused.

Learned counsel for the accused/applicant argued that
accused/applicant is quite innocent and has been falsely implicated in this
case. During investigation as well as during the trial, the prosecution witnesses
namely Dharminder Singh and Neelam did not support the case of the
prosecution. Applicant-accused is in judicial custody since 15.06.2021. The
completion of trial will take long time and no useful purpose would be served
by keeping the accused/applicant behind the bar for indefinite period. Lastly,
he prayed that applicant-accused be released on bail.

On the other hand, learned Addl. PP for the State argued that during the investigation, accused/applicant has been nominated in the case in hand. Although, the complainant Dharaminder Singh and eye witness Neelam did not support the case of the prosecution but another witnesses are yet to be examined. It is not a fit case, where concession of regular bail can be granted to the accused/applicant. Lastly, he prayed that bail application be dismissed.

I have considered the submissions of learned Counsel for the applicant-accused and learned Addl. PP for the State.

Perusal of record shows present FIR was registered on the statement of complainant Dharminder Singh, wherein he has stated that they are four brothers and one sister and all are married. They all the brothers are running one shop under the name and style of Super Shine Jeans situated in street no.1, New Town, Moga. In routine, they all the brothers used to open the said shop at about 09:00 AM till 08:00 PM. On 14.07.2020, in routine, they all the brothers were working with their labour in the said shop and his brother Tejinder Singh alias Pinka was sitting on the main counter and complainant Dharminder Singh was handling customers and labour. At about 07:00 PM, one youngster aged about 22/24 years having slim body, his face was muffled with black cloth, wearing sky blue shirt with white colour lining and blue colour jeans and wearing slippers in the foots, entered in the showroom after opening the door and started giving fire shots on the person of his brother Tejinder Singh alias Pinka. After giving fire shots, he ran towards D.M College on the motorcycle of his companion make Pulsar of black colour. Complainant and his labourers took Tejinder Singh alias Pinka to Civil Hospital, Moga after arranging vehicle, where doctor declared Tejinder Singh

alias Pinka as dead.

Complainant further got recorded in his statement that in the facebook ID of Sukha Singh Lamhe, one post has been appeared, wherein he had taken the responsibility of murder of his brother by stating that he alongwith his companion Harwinder Sandhu has committed the aforesaid murder. Thereafter, Sukhpreet Singh alias Sukha and Harwinder Sandhu have been nominated in the present case vide rapat No.26 dated 16.07.2020. Subsequently, on the basis of statement of complainant, accused Gagandeep Singh alias Judge has been nominated in the present case vide rapat No.14 dated 08.08.2020. During investigation on 01.09.2020, Arshdeep Singh alias Charanjit Singh, Ramandeep Singh and Mandeep Singh alias Dharuv have been nominated in the present case and offence under Section 120-B IPC has been enhanced in the present case vide DDR No.07 dated 02.09.2020.

On 14.07.2021, Nishan Singh alias Nishan and Harsimranjit Singh alias Ghukar came at police station and informed that they are seeing the video pertaining to the murder of owner of Super Shine Jeans, Moga on youtube and at that time, Lovepreet Singh alias Ravi and Kamaljit Sharma came on motorcycle and threatened them not to disclose anything to anybody and thereafter Arshdeep Singh alias Arsh threatened them about the same and they further told that they had also committed the murder of Sukhpreet Singh alias Sukha. Thereafter, Lovpereet Singh and Kamaljit Sharma were also nominated in the case in hand.

Serious allegations have been levelled against the accused/applicant that he alongwith other co-accused have committed the murder of Tejinder Singh alias Pinka. Moreover, two other cases were also registered

against the accused/applicant. So, keeping in view the gravity of offence alleged to have been committed by applicant-accused and serious allegations leveled and moreover, turning of hostile of some of the witnesses shows that accused/applicant is trying to won over the prosecution witnesses, it is not a fit case where concession of regular bail can be granted to the applicant-accused. Accordingly, bail application is hereby dismissed. Bail application file be attached with main file.

Pronounced.
15.02.2023.
(Sunny Stenographer II)

(Harjeet Singh)
Additional Sessions Judge,
Moga. (**UID No.PB0131**)

Present: Sh. G.S.Brar Advocate, for applicant/accused
Sh. Anshuman Syal Addl.PP for the State

Main file received. Arguments heard. Vide my separate order of even date, the present bail application stands dismissed. Bail application file be attached with main file.

Pronounced.
15.02.2023.
(Sunny Stenographer II)

(Harjeet Singh)
Additional Sessions Judge,
Moga. **(UID No.PB0131)**