

**In the Court of Ms. Ravi Inder Kaur Sandhu,
Addl. Sessions Judge, Moga.
(UID No. PB0186)**

C.I.S No.	BA/2959/2025
C.N.R. No.	PBMO01-007041-2025
Date of Institution	20.09.2025
Date of Order	29.09.2025

State

VERSUS

Dhunna alias Dilpreet Singh, aged about 23 years son of Jeet Singh alias Baljit Singh, resident of Bhinder road, Village Jalalabad East, Tehsil Dharamkot, District Moga.

.... Applicant/Accused.

FIR no.206 dated 08.08.2025,
Under Sections: 132, 221, 324 (3), 191 (3), 190 BNS
(later on added offence U/S 109, 115 (2), 121 (1) BNS,
vide Rapt no.37 dated 24.08.2025)
Police Station: Dharamkot.

Bail application under Section 482 of BNSS.

Present; Shri Bhagwant Singh, Advocate, counsel for the
 applicant/accused.
 Shri Amrit Mittal, Addl.Public Prosecutor for the State.

ORDER

Heard on bail application under Section 482 of BNSS filed
by above named applicant/accused in the above noted case FIR.

2. Notice of the bail application was served upon the State and
record from the concerned police station was also requisitioned.

3. As per allegations of the prosecution, the present FIR has
been registered on the statement of ASI Jaswinder Singh, who got it
recorded that he is working as Investigating Officer in police station
Dharamkot. On 08.08.2025, Karamjit Singh had molested one girl in the
Sayed Farid Gurudwara Sahib, situated at Bhinder road, Jalalabad, due to

which, persons gathered at the spot. Bhalwinder Singh, SHO, Police Station Dharamkot along with force, SHO Fatehgarh Panjtoor along with force and DSP Dharamkot reached at the spot and the mob started throwing pallets upon the police and started causing damage to the government vehicles. SHO Bhalwinder Singh, Police Station Dharamkot and other police officials received injuries and on inquiry it was found that the persons who had thrown the pallets and caused damage to the vehicles, were Ranjit Singh alias Mani son of Chamkaur Singh, Zora Singh son of Lal Singh, Krishna son of Kulwant Singh, Arshdeep Singh alias Arshu son of Bal Singh, Labhu grandson of Nirmal Singh, Dilpreet Singh son of Balvir Singh, Bittu son of Sukhdev Singh, Nanak son of unknown, Dhanna son of Jeet Singh, i.e. present accused/applicant, Khusha, Bhushan, Milkha, Ghuchi sons of unknown, resident of Jalalabad and 25/30 unknown persons and 10/15 unknown ladies had caused damage to the government vehicles and caused hindrance in their duty, so, action be taken against them.

4. Learned counsel for applicant/accused argued that he is quite innocent and has been falsely implicated in this case and no specific attribution of applicant/accused has been specifically mentioned in the FIR. He further argued that nothing is to be recovered from him and he is ready to join the investigation. With these submissions, he requested for according interim bail to the applicant, till the final decision of the bail application.

5. On the other hand, learned Addl. Public Prosecutor present in the court for State has contended that in view of the seriousness of the offence so committed by the accused/applicant, he does not deserve any

kind of leniency. He further argued that custodial interrogation of the accused/applicant is required for the effective investigation. He prayed that keeping in view of the seriousness of the offence, bail application of the applicant may kindly be dismissed.

6. After giving my thoughtful consideration to the rival submissions put forth by both the sides and on careful perusal of averments put in the application, coupled with due assistance rendered, record so produced, the court finds merits in the submissions of learned Addl. Public Prosecutor for the State. The plea of false implication as now raised on behalf of the accused/applicant can only be ascertained at a later stage, when the evidence is adduced during the course of trial. The court feels that the allegations as levelled against the accused/applicant, prima facie, do not seem to be false or groundless as there are specific allegations that applicant/accused along with his co-accused had caused injuries on the person of SI Bhalwinder Singh, with pallets and bricks and also caused damage to the official vehicles. Since, serious allegations have been levelled against the accused/accused, as such, his custodial interrogation is required for the purpose of effective investigation. It is well settled that the provisions of section 482 of B.N.S.S are attracted only when it is found to be totally false, baseless and groundless. It is the accused/applicant to set out that no prima facie case is made out against them. From the facts on record, it is not reflected that the accusations against the accused/applicant are totally false and baseless. Furthermore at the time of considering a bail application, the court is not expected to meticulously examine the evidence or undertake an elaborate scrutiny of the documents as that may prejudice the case of either side. However, a

prima-facie view with regard to commission of offence by the accused can be taken. In the light of the directions passed by the Hon'ble Apex Court from time to time, the parameters/factors which are to be considered by the Courts for grant of anticipatory bail are that whether there is any prima-facie or reasonable ground to believe that the accused had committed the offence and nature of the allegations-like severity/gravity/enormity of the allegations.

7. When, totality of the facts of the present case when taken into consideration coupled with the ratio-decidendi laid down by the constitutional bench of the Hon'ble Apex Court in *“Gurbax Singh Sibia Versus State of Punjab, 1980(2) Supreme Court cases 565”* , wherein it has been made abundantly clear that while deciding the applications U/s 482 of B.N.S.S. that the court has to strike the balance between the liberty of the citizens and interest of general public at large. The provisions of Section 482 of B.N.S.S are intended to protect the people from a process which may suggest abuse of law, but certainly not intended to benefit people who have much to explain for his conduct which prima facie is in conflict with law. Hence, the court is of the considered opinion that in order to facilitate a thorough and fair investigation, the custodial interrogation of the applicant is rather inevitable. The investigation is on the offing and there are ascertained facts relating to the occurrence which are within the exclusive knowledge of the applicant and for the said purpose their custodial interrogation is required. Consequently, the Court finds no feature available in this case, which can justify or warrant the invocation of extraordinary equitable discretion under Section 482 of B.N.S.S. Hence, the instant application for grant of anticipatory bail,

being bereft of any substances, is hereby dismissed. Police record be returned and bail application file be consigned to the record room.

Date of order:29.09.2025

Ashwani, Stenographer-Gr.I

(Ravi Inder Kaur Sandhu)

Addl. Sessions Judge,

Moga (UID No. PB-0186)