

In the court of Ranjit Kumar Jain,
Additional Sessions Judge,
Patiala.(PB0077)

BA No.2776/2022
CNR No. PBPT010087062022
Date of Decision: 2.9.2022

Ram Ratan aged about 32 years son of Raj Kumar resident of village
Kadial, Tehsil Dirba, District Sangrur. .

.....Applicant/accused

Versus

State of Punjab

....Respondent

FIR No. 195 dated 10.9.2021
Under Sections: 307/460/34 of IPC &
Section 27 of Arms Act,
Later on Section 302 IPC added
Police Station: Passiana

**Application under Section 438 Cr.P.C. for grant of
anticipatory bail**

Present: Sh. Gagandep Singh Nirmaan, Advocate for the applicant
Sh. K.S. Bajwa, Addl.P.P for the State

ORDER

1. This order of mine shall dispose of bail application as moved
by applicant/accused, under Section 438 Cr.P.C for grant of anticipatory
bail in case FIR No. 195 dated 10.9.2022, under Section 302,460,307,34
of IPC and Section 27 of Arms Act, registered at Police Station, Passiana

Ranjit Kumar Jain,
ASJ/Pta/2.9.2022

moved on the grounds that applicant has not committed any offence at all. The police of PS Passiana has registered above FIR against Dalwinder Singh and others. Now the police of PS Passiana wants to implicate and arrest the applicant after the gap of one year. It is submitted that applicant has not named in the FIR and applicant has no concern with the alleged occurrence. The police of PS Passiana is harassing the applicant without any reason. The applicant is innocent person. Police of PS Passiana raided house of applicant and applicant has apprehension in his mind that police of PS Passiana will arrest him. From the bare perusal of the contents of FIR, no offence is made out against the applicant. The applicant undertakes to abide by all the conditions imposed by the court. Prayer is made for allowing the bail.

3. The brief facts of the case are that on 10.9.2021 ASI Chamkaur Singh alongwith police party were on patrolling duty and were present at village Rajgarh then he received telephonic message from Head Munshi of Police Station that Paramjit Kaur and Kulwinder Kaur daughters of Hardaman Singh residents of village Mallo Majra, were admitted in Rajindra Hospital Patiala due to getting shot. On this, ASI Chamkaur Singh alongwith police party went to Rajindra Hospital Patiala and obtained the MLRs of Kulwinder kaur and Paramjit Kaur. On 10.9.2021, as per the MLRs of Kulwinder Kaur, she received four shot and and as per MLR of Paramjit Kaur, she received one shot. Thereafter, ASI Chamkaur Kaur after obtaining the fitness from the doctor he

recorded the statement of injured Paramjit Kaur aged about 38 years daughter of Hardaman Singh, as per which she stated that she is doing house hold work. She is having two sisters and two brothers. Elder brother is Tarsem Singh aged about 44 years, then herself, then her brother Dalwinder Singh aged about 35 years and then her younger sister Kulwinder Kaur aged about 33 years. Her mother name is Manjit Kaur, who died in December 2012. Her father Hardaman Singh also died in November 2019 due to liver diseases. She stated that she and her sister Kulwinder Kaur and her daughter Hargun Kaur are residing at their ancestral house at village Mallo Majra. She is unmarried and she is residing there from childhood. She further stated that on 9.9.2021 she and her sister Kulwinder Kaur alongwith her daughter at about 9.00 p.m. went to the room of upstairs of their house, then at about 2/2.30 a.m. two person came there with muffled faces, one of them is her brother Dalwinder Singh son of Hardaman Singh, having pistol in his hand alongwith Avtar Singh son of Bhola Singh resident of Swajpur, were standing outside the window of the room, they fired in the room through glass window, then she alongwith her sister and her daughter came down from the bed and standing inside the room then they also gave fire through window glass to kill her sister Kulwinder Kaur, then she want to save Hargun then one shot struck in the left arm near the left side of her neck. Her sister Kulwinder Kaur fell down on the earth and they gave another fire shot on her. She raised hue and cry then she saw while opening the door of the room that

two another person was also standing on the ground floor they were also with muffled faces, but she identified them. One of them is her brother Tarsem Singh and another is Rajwinder Singh @ Saba, present Sarpanch of village Mallo Majra, they jumped the staircase and wall of the house. The reason behind the occurrence is that there is a dispute regarding partition of land between her brother Tarsem Singh and Dalwinder Singh. They do not want to give any share to her and her sister. On 10.9.2021 Dalwinder Singh and Tarsem Singh in connivance with Avtar Singh Rajwinder Singh entered in their house to kill them with the license pistol to her and her sister Kulwinder Kaur. Thereafter, Gagandeep Singh son of Tek Singh, resident of Mallo Majra after arranging the vehicle took them to Rajindra Hospital Patiala for treatment, where they treated. Thereafter, Kulwinder Kaur injured died during treatment. During the investigation name of applicant/accused surfaced in the investigation.

3. Upon notice this application is contested by State.

4. Heard. Judicial file is called and same is perused. Trial is already pending against two other accused and two accused are yet to be arrested. The police file has been called and same is perused. The statements have come that present applicant alongwith one other person Harwinder Singh @ Sattu have accepted ransom amount for killing victims by way of showing accident. As name of applicant has appeared later on and his custodial interrogation is very much necessary for collecting the evidence. If such person is allowed interim anticipatory bail

they use it as weapon and hamper the investigation. The offences are serious punishable under Sectiona 302,460,307,34 of IPC and Section 27 of Arms Act. So, I do not see any justification to grant anticipatory bail to the applicant-accused and same is dismissed. Bail application file is ordered to be tagged with the main trial.

Date of Order: 2.9.2022
jaspal singh stenographer-II

Ranjit Kumar Jain
Addl. Sessions Judge, Pta
UID NO. PB0077

Ranjit Kumar Jain,
ASJ/Pta/2.9.2022