

**IN THE COURT OF RAMAN GOKLANEY, ADDITIONAL
SESSIONS JUDGE,, GURDASPUR**

CIS No: BA-2721-2025

CNR No: PBGD010061262025

Date of Order: 07.07.2025

1. Gauri Shankar,
2. Ajay Shankar both sons of Mool Raj, residents of Secretary Mohalla, Gurdaspur at present Village Kamalpur Afgana, tehsil and District Gurdaspur.
3. Hardeep Singh son of Baldev Raj, resident of Village Bhopar Saidan, Tehsil and District Gurdaspur.

...Applicants/accused.

Versus

State of Punjab.

...Respondent.

First Application for bail U/s 482 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail.

FIR No 156 dated 18.09.2020.

Under Sections : 379, 447, 506, 34 IPC.

Police Station: Sadar, Gurdaspur.

Present : Sh. Arun Kumar Gunjian, Advocate, for applicants/accused.
Sh. Amit Singh Aulakh, Additional Public Prosecutor for State.

ORDER:-

1. Apprehending arrest, accused-applicants have filed anticipatory bail under the provisions of Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 in FIR No. 156 dated 18.09.2020 under Sections 379, 447, 506 and 34 of IPC, registered at Police Station Sadar, Gurdaspur, District Gurdaspur for which the proceedings are pending before the Court of learned Additional Chief Judicial Magistrate for 25.07.2025 in case titled as 'State Vs Gauri Shankar bearing case No CHI-174-2024.

Raman Goklaney,
Additional Sessions Judge, Gurdaspur
Dated : 07.07.2025

2. Sh. Arun Kumar Gunjian Advocate, appearing on behalf of the applicants and Sh. Amit Singh Aulakh, learned Addl.P.P. for the State heard. Record also perused.

3. After hearing the both the sides and on perusal of the record, it emerges out that after the registration of the FIR and subsequent investigation, police authorities has filed cancellation report declaring the accused persons innocent. However, the Court of learned Additional Chief Judicial Magistrate, Gurdaspur took cognizance of the matter despite the police report found the accused innocent and has summoned the applicants to face trial vide order dated 28.02.2024. The primary contention raised by learned counsel for the applicants that since the Investigating Agency after thorough enquiry found the applicants innocent and submitted the cancellation report, their custodial interrogation would not be required now and it is submitted that applicants are ready to join the proceedings before learned trial Court as and when directed and would not default in their presence, during the course of trial.

4. Considering the peculiar facts and circumstances of the present case, particularly the fact that the police investigation concluded with the findings that the accused persons were innocent and cancellation report was filed, this Court is of the view that custodial interrogation of the applicants as such, would not be necessary. Accordingly, the present application for anticipatory bail filed by applicants Gauri Shankar, Ajay Shankar and Hardeep Singh is allowed. Applicants are directed to appear before the learned trial Court on or before 25.07.2025 and learned trial

Gauri Shanker & Ors. Vs. State of Punjab
Court is directed that on appearance of accused-applicants, they shall
admitted to bail on their furnishing bail bonds and surety bonds on the
terms as deem fit to learned trial Court.

5. The applicants shall also abide by the conditions as specified
under Section 482(2) of BNSS. Further learned trial Court would be at
liberty to cancel the bail order in case the accused-applicants absented
themselves from the trial without any reasonable cause.

6. Allowed in aforesaid terms.

7. Report be returned along with copy of this order and file of
this Court be consigned to the record room.

Date of order:-07.07.2025.

Iqbal Singh JW

(Raman Goklaney)
(UID No. PB-0687)
Additional Sessions Judge,
Gurdaspur.