

State of Punjab Vs. Gurmeet Singh & Ors.

State of Punjab Vs. Subhpreet Singh

UID No.PB0208

CNR No.PBRO01-0010452024

CIS No.BA/275/2024

CNR No.PBRO01-0010862024

CIS No.BA/281/2024

PBRO010010452024



Presented on : 28-02-2024
Registered on : 28-02-2024
Decided on : 05-03-2024
Duration : 0 years, 0 months, 6 days

PBRO010010862024



Presented on : 29-02-2024
Registered on : 29-02-2024
Decided on : 05-03-2024
Duration : 0 years, 0 months, 5 days

**IN THE COURT OF MOHIT BANSAL
ADDITIONAL SESSIONS JUDGE, RUPNAGAR
(UID No.PB0208)**

(Bail application No.1)

**State of Punjab
Vs.
Gurmeet Singh & Ors.**

(Bail application No.2)

**State of Punjab through Forest Range Officer
Vs.
Subhpreet Singh**

Complaint No.1 Dated : 12.01.2024
U/ss: 9, 39, 49 and 51 of Wild Life (Protection)
Amendment Act, 2022
Police Station: Wild Life Range, Rupnagar.

Present: Sh. Rajiv Kumar, Advocate, Ld. Counsel for applicants-
accused Gurmeet Singh, Bhupinder Singh & Balwinder Singh.
Sh. Harjit Singh, Advocate, Ld. Counsel for applicant-accused
Subhpreet Singh.
Sh. Dhanesh Kumar, Ld. Addl. PP for the State

ORDER

1. Notice of both the applications for regular bail, has been given to
the State for today. Reply to the bail applications, has not been filed.

2. Vide present common order both the bail applications relating to the same complaint, filed by the applicants/accused Gurmeet Singh, Bhupinder Singh, Balwinder Singh and accused Subhpreet Singh, are being disposed of.

3. The bail application No.1 has been filed on behalf of the applicants-accused Gurmeet Singh, Bhupinder Singh and Balwinder Singh on the ground that earlier, the applicants had filed regular bail application before the Learned Ilqa Magistrate, but the same was dismissed on 03.02.2024 by the Court of Sh. Gurpreet Singh, Learned JMJC, Sri Anandpur Sahib.

4. It is averred in the application that the applicants-accused are having no concern with the offences alleged in the present complaint and have not committed any offence. The applicants-accused are innocent. The applicants are in judicial custody since 12.01.2024. With these averments, a prayer for allowing the instant bail application, has been made.

5. It is averred in the bail application No.2 that applicant-accused Subhpreet Singh had filed regular bail application, which was later on dismissed as withdrawn vide order dated 08.02.2024 passed by Sh. Harish Anand, Learned Additional Sessions Judge, Rupnagar and one bail application under Section 437 Cr.P.C was dismissed by the Court of

Sh. Gurpreet Singh, Learned JMIC, Sri Anandpur Sahib vide order dated 03.02.2024.

6. It is averred that the police have involved the applicant-accused in the present false case. The applicant is innocent and has committed no offence. Nothing is to be recovered from the applicant. The applicant-accused is in custody since 12.01.2024. With these averments, a prayer for allowing the bail application, has been made.

7. Sh. Rajiv Kumar, Advocate, Learned Counsel for the applicants-accused Gurmeet Singh, Bhupinder Singh and Balwinder Singh and Sh. Harjit Singh Advocate, Learned Counsel for the applicant-accused Subhpreet Singh, have submitted that the applicants-accused have no link with Lakhwinder Singh and Gurpreet Singh the other two accused who have allegedly escaped. The learned Counsel have submitted that there is no allegation against the applicants-accused. The alleged recovery has been effected. The accused are in custody for the last about two months.

8. The Learned Counsel have submitted that father of the applicant-accused Balwinder Singh has died and his bhog ceremony is to be held on 10.03.2024. The Learned Counsel have submitted that the motorcycle allegedly recovered are not connected with the present applicants-accused. The Learned Counsel have submitted that as per Schedule, the

offences are punishable upto 7 years and triable by the Magistrate and therefore, both the bail applications may be allowed.

9. On the other hand, the Learned APP for the State has submitted that Bhupinder Singh Range Officer, Wild Life Range, Rupnagar is the complainant who had on the intervening night of 11.01.2024 and 12.01.2024 at about 2:00 A.M, heard the sound of dogs and thereupon found some persons with a dead young one of sambhar. The Learned APP has submitted that two persons Lakhwinder Singh and Gurpreet Singh managed to escape.

10. The Learned APP has submitted that in the phone of accused Subhpreet Singh, there is video showing some dogs barking on young one of deer being killed.

11. The Learned APP has submitted that the sambhar animal is listed in Schedule-I of Wild Life Act. Four motorcycles have been recovered out of which two are without registration number. The Learned APP has submitted that minimum punishment is three years.

12. The Learned APP has submitted that as per post-mortem on the dead body of sambhar there were signs of dog bites. Upon this, the Learned APP has prayed that the bail applications may be dismissed.

13. I have heard the rival submissions and perused the record carefully.

State of Punjab Vs. Gurmeet Singh & Ors.	UID No.PB0208 CNR No.PBRO01-0010452024 CIS No.BA/275/2024
State of Punjab Vs. Subhpreet Singh	CNR No.PBRO01-0010862024 CIS No.BA/281/2024

14. As per allegations of the complainant, on the intervening night of 11.01.2024 and 12.01.2024 at about 3:00 A.M., a young one of sambhar was killed by dogs being used by the applicants-accused. Four accused namely Gurmeet Singh, Bhupinder Singh, Balwinder Singh and Subhpreet Singh have been apprehended.

15. Keeping in view the grave allegations where a young one of sambhar which is a Schedule-I animal, has been killed and the persons namely Gurmeet Singh, Bhupinder Singh, Balwinder Singh and Subhpreet Singh were apprehended at the spot, this Court is of the view that the accused Gurmeet Singh, Bhupinder Singh, Balwinder Singh and Subhpreet Singh are not entitled to be released on regular bail. Accordingly, both the bail applications, are hereby dismissed.

16. Any observation made herein is limited for the purpose of deciding of the present bail applications.

11. A copy of this order be placed on the connected bail application. Papers be consigned to the Judicial Record, Rupnagar.

Pronounced in the Open Court
Dated: 05.03.2024

(Mohit Bansal)
UID NO.PB0208
Addl. Sessions Judge
Rupnagar.

Anis STG-II