

**In the Court of Sanjay Agnihotri,
Additional Sessions Judge-I,
Kapurthala
(UID No.PB0099)**

CNR No. PBKP010067152025



Case No. BA/2785/2025

Presented on : 10-11-2025

Registered on : 11-11-2025

Decided on : 19-11-2025

1. **Kapil Dev** aged about 50 years, son of Diyal Chand, resident of Jagatpur Jattan, PS Satnampura Phagwara, District Kapurthala.
2. **Gokaran @ Garry** aged about 21 years, son of Kapil Dev, resident of Jagatpur Jattan, PS Satnampura Phagwara, District Kapurthala.

....Accused/applicants

Versus

State of Punjab

...Respondent

FIR No. 103 dated 18.07.2025
Under section 103(1), 238,3(5) IPC
Police Station Satnampura, Phagwara
District Kapurthala.

Bail Application under Section 483 of BNSS

Present: Sh.Naveen Chadha, Advocate for the applicants/accused.
Ms. Reena Rani, Ld. Addl. P.P. for the respondent/State.

ORDER:-

1. This order shall dispose of bail application under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed by the applicant/accused **Kapil Dev** and **Gokaran @ Garry** on 10.11.2025 in case F.I.R. aforementioned.

Sanjay Agnihotri, Addl.Sessions Judge, Kapurthala UID No.PB00099

2. Notice of the bail application was issued to the respondent State and learned Additional Public Prosecutor for the State has contested the bail application. Record of the learned Illaqa Magistrate has been requisitioned and received.

2. It has been averred in the bail application that the applicants are innocent, have not committed the alleged crime, and has been falsely involved in the case on the basis of suspicion. They themselves surrender before the police immediately after registration of FIR. There is no substantive evidence on record regarding the commission of crime. The applicant is in judicial custody since 18.07.2025. The applicants are peace loving and law abiding citizens. The challan has already been presented in the court. They are ready to abide by all terms and conditions of bail, if any.

3. The allegations of the prosecution are that on 18.07.2025 complainant Resham Pal suffered a statement that on 16.07.2025 at about 8:00-8:30 p.m. my both sons namely Bhupinder Singh and Sukhwinder Kumar aged about 32 years, were standing outside the house. Sukhwinder Kumar made a telephonic call from his mobile no. 82649-64204 to Kapil Dev on his phone no. 98144-47538. After Sukhwinder Kumar, Kapil Dev talked with his elder son Bhupinder Singh. Bhupinder Singh told Kapil Dev that if they are calling Sukhwinder Kumar for work during night time, then they will be responsible for his safety. Upon this, Kapil Dev assured Bhupinder Singh that after completion of work Sukhwinder Kumar will stay with them

during the night. On 17.07.2025 at about 8:00 p.m. Garry son of Kapil Dev came to their house alongwith clothes and mobile phone of Sukhwinder Kumar and he also took them with him in the search of Sukhwinder Kumar, and when they all reached at the well of Mehanga Singh son of Charan Singh, Garry looked into the well and said Sukhwinder Kumar is lying in the well faced down. He is of full belief that the applicants have killed Sukhwinder Kumar and has thrown him in the well. Thus, the instant FIR was registered against the applicants/accused under section 103(1),238, 3(5) of BNS.

4. During the course of investigation, the accused/applicants were arrested. Autopsy on the dead body was conducted. As per PMR cause of death is head injury. Report of viscera is awaited. On completion of investigation challan was presented in the court on 14.10.2025.

4. Arguments heard and record perused with the able assistance of learned counsel for the applicants/accused and Addl. Public Prosecutor for State.

5. The allegations against the applicants/accused are that they have committed the murder of Sukhwinder Kumar aged about 32 years son of the complainant, who accompanied them for labour work in good faith, are serious in nature. So, keeping in view the gravity of offence, no ground for grant of bail is made out. As such the application for regular bail of the applicants/ accused is **dismissed**. Record of the learned Illaqa Magistrate alongwith copy of this order be returned

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forthwith. Bail application file be consigned to the record room(J),Kapurthala.

**Pronounced in open Court:-
Dated:19.11.2025.**

Nirlep Kaur Stenographer Gr.I

**(Sanjay Agnihotri),
Additional Sessions Judge,
Kapurthala.(UID No.PB0099)**

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Present: Sh. Naveen Chadha, Advocate for the applicant/accused.
Ms. Reena Rani, Ld. Addl. P.P. for the respondent/State.

Arguments heard. Vide separate detailed order of even date, the application for bail filed by the applicant/accused has been **dismissed** as detailed therein. The record of bail application be consigned to the record room, Kapurthala.

Pronounced in open Court:-
Dated:19.11.2025.

Nirlep Kaur Stenographer Gr.I

(Sanjay Agnihotri),
Additional Sessions Judge,
Kapurthala.(UID No.PB0099)