

In the Court of Sh.Rakesh Kumar Sharma
Addl. Sessions Judge, Tarn Taran.
(UID No.PB0133)

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**CIS No. BA 2947 of 2024**  
**Decided on: 12.12.2024**

Sajjan Singh aged about 102 years son of Ajaib Singh, resident of village Jamarai Police station Goindwal, District Tarn Taran.

..... Applicant

Versus

State of Punjab

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| <b>FIR No. 124 dated 13.04.2024</b><br><b>Under section 302, 506, 148, 149 IPC and 25, 27, 54,</b><br><b>59 of Arms Act.</b><br><b>Police station: Goindwal Sahib.</b> |
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**Bail application under section 483 of the B.N.S.S. of 2023 for regular bail.**

Present: - Sh. Gurpreet Singh Panesar, advocate, counsel for the  
accused/applicant  
Sh. Ashok Kumar, APP for the State  
Complainant in person

**ORDER**

This order of mine shall dispose of regular bail application filed on behalf of accused/applicant Sajjan Singh who is aged about 102 years on the grounds that he is innocent and has been falsely implicated in the present case. During the course of investigation one Simranjit Singh @ Simma was arrested in FIR no. 95 dated 29.06.2024 under section 25/54/59 Arms of police station Division no. 1 Jalandhar and during investigation of that case, Simranjit Singh @ Simma has made a disclosure statement while in police custody wherein he named himself and Paramjit Singh @ Pamma, Karanvir Singh and Harmanjit Singh have committed the murder of Avtar Singh in the present case. On the basis of disclosure statement above said accused were named in the present case vide DDR no. 37 dated 20.07.2024

and later on 25.07.2024, all the accused namely Simranjit Singh, Paramjit Singh @ Pamma, Karanvir Singh and Harmanjit Singh after taking production warrants from the Illaqa Magistrate were arrested in the present case. The said accused Simranjit Singh @ Samma had not named the present applicant as an accused in the present case. Apart from the allegations there is only suspicion regarding the involvement of the present applicant in the alleged commission of offence. The accused was arrested on 28.10.2024 in the present case and since then he is in judicial custody and is no more required for further investigation. The challan has already been presented. Conclusion of trial is likely to take some time. No useful purpose will be served by further detention of the present applicant. As such, he be released on regular bail.

2. Brief facts of the case are that the present FIR has been registered at the instance of Gursewak Singh son of Avtar Singh who made the statement that he is the resident of village Jamarai police station Goindwal Sahib and engaged in agriculture work for the purpose of his livelihood. He has two brothers and two sisters and all are married and he is unmarried. Today i.e. 13.04.2024 at about 02:00 P.M. the father of the complainant namely Avtar Singh had gone along with milchy animals to the fields but inadvertently the milchy animals immediately entered in the fields of Satnam Singh. The son of Satnam Singh namely Dildar Singh made the phone call to the complainant and informed that the animals entered in their fields. Upon which the complainant asked him that his father is following the animals but Dildar Singh told him that his father is not with the milchy animals. Thereafter the complainant along with his brother Harpartap Singh and sister Sukhjinder Kaur started looking after

their father who was not along with milchy animals. When brother and sister of the complainant reached near the fields of professor Harbhajan Singh Toor they found the dead body of Avtar Singh lying in the fields and found that there were bullet injuries on the dead body and suspicion that Avtar Singh was killed by Paramjit Singh son of Nishan Singh, Sarabjit Kaur wife of Nishan Singh, Nishan Singh son of Inder Singh, Jarnail Singh son of Thakur Singh, Sajjan Singh Ajaib Singh, Mukhtiar Singh son of Thakur Singh, Amandeep Kaur @ Soni wife of Jarnail Singh and one unknown person of village Jamarai of police station Goindwal Sahib as there was a dispute regarding the land between them and a few days before they had threatened to kill them. Action be taken against them.

3. Learned counsel for the applicant has contended that during the course of investigation the statement of Sukhwinder Singh was recorded who claimed that he had gone to his in-laws house in order to meet Avtar Singh but he had gone to fields for feeding the animals and he also gone to the fields where he heard fire gun shot sound and names of Simranjijt Singh, Paramjit Singh @ Pamma, Karanvir Singh and Harmanjit Singh have been mentioned by Sukhwinder Singh. It is further submitted that present applicant has been named by the person who claimed to be witness to the occurrence and there was dispute between him and his family and with some other co accused who is not related to Sajjan Singh. It is further submitted that present applicant is admitted in hospital on 05.12.2024. It is further submitted that the accused was arrested on 28.10.2024 in the present case and since then he is in judicial custody and is no more required for further investigation. The challan has already been presented. Conclusion of trial is likely to take some time. No useful

purpose will be served by further detention of the present applicant. As such, he be released on regular bail.

4. Learned counsel for the applicant has drawn the attention of this court towards the report under section 173 of Cr.P.C against the names of Sajjan Singh, Mukhtiar Singh and Amandeep Kaur who are shown to be innocent in the inquiry conducted by SP (D), Tarn Taran whereas it is clarified by learned APP for the State that Jarnail Singh, Mukhtiar Singh and Amandeep Kaur infact have been declared as innocent.

5. I have also seen the inquiry report conducted by SP (D), Tarn Taran who concluded that Jarnail Singh and Mukhtiar Singh sons of Thakur Singh and Amandeep Kaur @ Soni wife of Jarnail Singh, residents of Jamai Rai of police station Goindwal were present in their respective houses at the relevant time. The application has been filed by Kashmir Kaur wife of Balwinder Singh but what the source of pen drive is not clear. As such, investigating officer of this case is directed to explain why he has not taken into possession the DVR to confirm that it was not manipulated. Copy of order be sent through SSP, Tarn Taran to investigation officer of this case to clarify why it has not been done so.

6. On the other hand, learned APP for the State has strongly opposed the regular bail application on the grounds that the statement of complainant was recorded who clearly attributed active role played by the present applicant. It is a case of last seen and all the evidence collected by the investigating agency pointed out the involvement of the present applicant in the commission of offence. Two empty cartridges were also recovered near the dead body. There was strong motive to commit the

offence on the part of the present applicant and his family. Therefore, the regular bail application of the present applicant may kindly be dismissed.

7. After having heard learned counsel for the accused/applicant and learned APP for the State, this court is of the opinion that there is no ground at this stage to grant the regular bail as the allegations are serious against the present applicant. Therefore, I find no merit in the present regular bail application and the same stands dismissed. File is ordered to be attached with the main trial/remand papers.

**Pronounced**  
**12.12.2024**

Rajinder Kumar JW

**(Rakesh Kumar Sharma)**  
**Addl. Sessions Judge Tarn Taran.**  
**(UID No.PB0133)**