

BA No. 2557-2024
CNR No:PBHO010076562024

BA-2559-2024
CNR-PBHO010076612024

BA-2562-2024
CNR No. PBHO010076592024

Amrik Singh aged about 46 years, son of Late Sh. Piara Lal, resident of Village Pandori, Post Office Lamin, Tehsil Mukerian, District Hoshiarpur.

Gurmit Lal aged about 57 years son of Late Sh. Piara Lal, resident of Village Pandori, Post office Lamin, Tehsil Mukerian, District Hoshiarpur.

Darshan Kaur @ Darshna Devi aged about 51 years, wife of Late Sh. Jagir Chand, resident of Village Pandori, Post Office Lamin, Tehsil Mukerian, District Hoshiarpur.

.....Applicants/accused.

Versus.

State of Punjab.

FIR No. 112 dated 29.07.2024
Under Section 108 BNS of 2023
PS Mukerian, District Hoshiarpur.

First application for bail under Section 483 BNSS of 2023

Present: Sh. Rajinder Kumar Advocate for bail-applicants
Shri Rajnish Salaria , Ld. Addl. PP for the State.

ORDER:

1. **Notice** of above referred bail application was issued to the State through Ld.Addl. PP for the State, who put in appearance and contested bail application.
2. Report of Ahlmad has also received, vide which it is reported that

no other bail application is pending or decided as per the website of Hon'ble High Court of Punjab & Haryana, Chandigarh.

3 The Police record was requisitioned and perused.

4. I have heard Ld. Addl. PP for the State and Ld. Counsel for bail-applicant and have gone through the police record.

5. From the record, it comes out to surface that police machinery was set into motion by one Balwinder Singh(complainant) for the offence under Section 108 of Bhartiya Nyaye Sanhita.

6. The complainant has levelled allegations that he is driver by profession and has one brother and three sisters, who all are married. The father of complainant namely Sarwan Kumar was having dispute with Amrik Singh, Gurmit Singh(sons) of Piara Lal and Darshan Kaur (wife) of Balvir Chand, resident of village Pandori, Mukerian, District Hoshiasrpur. Number of times compromise stated to have been effected between the parties. On 29.07.2024, at about 12.00 P.M, Sarwan Kumar had fight with Amrik Singh, Gurmit Lal, Darshan Kaur and they have given beatings to Sarwan Kumar, therefore, he filed an application to the police station. However, father of complainant was quite stressed, and therefore, he committed suicide by consuming some poisonous substance on 29.07.2024 at about 2.30 PM, on being instigated by the accused. The reason behind occurrence stated to be that there was common bore between the parties and accused were not giving them turn for the use of water from bore.

7. From the police file, it is evident that an application dated 29.07.2024 was filed by the deceased to SHO, PS Mukerian, wherein, he referred that he is heart patient, therefore, can not pick up disputes as well as

avoid noises, however the accused taking the benefit of the state of health of the complainant, initially they stopped his family from taking water from common hand pump, therefore, matter was reported to the police and on 28.07.2024, again the accused stopped the complainant party from taking water and were threatened. However, the matter was compromised on 23.11.2023.

8. There is an another application dated 14.11.2023 filed by Sarwan Kumar to the Sarpanch Gram panchayat of village Pandori that out of the land situated in village Pandori, 10 marlas been sold by him, therefore, to give possession to the vendee. The deceased further stated in the said application that he had sown eucalyptus trees and the remaining share be also given to him, whereas Amrik Singh unnecessarily harassing him.

9. Observing that serious allegations been levelled against the bail applicants, with whom the deceased was having dispute and deceased has also filed applications against them, therefore, in view of the gravity of the offence, I do not deem this case fit, where the bail applicants can be said to be entitled to regular bail, therefore, the regular bail application above mentioned on behalf of bail applicants stands dismissed.

10. The observations made by undersigned vide this order will have no reflection on merits.

11. Bail application file be consigned to the Judicial Record Room, Hoshiarpur, on its completion.

Pronounced in open Court:
Dated: 05.09.2024
Diksha Rani

(Jaswinder Sheemar),
Judge Special Court, Hoshiarpur
(UID No.PB-0093).

