

State Vs. Bhupinder Singh etc.

**In The Court Of Gurdarshan Singh, PCS,
Judicial Magistrate Ist Class,
Talwandi Sabo.**

CRIMINAL CASE NO.	63 OF 2016
DATE OF INSTITUTION	27.10.2016
CIS NO.	CHI/156/2016
COMMITTED ON	18.11.2016
COMMITTED FOR	02.12.2016

State

Versus

- 1. Bhupinder Singh son of Rajwinder Singh;**
 - 2. Kanwarpreet Singh @ Rubal son of Bhupinder Singh;**
- Both residents of Village Buraj, Tehsil Maur, District Bathinda.**

.....Accused.

***FIR No.154 dated 29.07.2016
Under Section 304 of IPC &
25,30,54,59 of Arms Act
Police Station: Maur.***

Present: Sh. Shiv Kumar, Ld. APP for the State.
Accused Bhupinder Singh in custody.
Accused Kanwarpreet Singh on bail with counsel
Sh. RS Romana, Advocate.

COMMITMENT ORDER

The accused named above in the present case has been forwarded by SHO PS Maur to face the trial under Section 304 of IPC & 25,30,54,59 of Arms Act.

2. Brief facts of the prosecution story are that on 29.07.2016 ASI Sukhjinder Singh along with other police officials was present at Jodhpur Kainchian. There an information was received that Bhupinder Singh son of

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Rajwinder Singh has murdered his nephew namely Amanpreet Singh @ Moni. At this ASI along with other police officials went to Village Buraj where Balwinder Singh son of Rajwinder Singh got recorded his statement with the IO to the effect that he is resident of Village Buraj and is an agriculturist by profession. He has 52-53 acres of land. They are two brothers and the name of his younger brother is Bhupinder Singh. Their houses are situated in their fields. He had two sons. His elder son namely Amandeep Singh had already died in road accident about 7-8 years ago. His second son namely Gaganpreet Singh was also cultivating the fields with him. Gaganpreet Singh has a daughter who goes to Maur for study by a van. On the day of occurrence at about 1.30 PM the complainant was going to his house on foot. Then his son brought his grand daughter from school. He told the complainant that his uncle Bhupinder Singh has beaten the driver of the van of school as well as he also threatened the staff of school of Sharanpreet Kaur. In this regard the school staff complained Gaganpreet Singh. Then he told that let us go to the house of Bhupinder Singh for complaining him. At this they went to the house of Bhupinder Singh. His daughter in law (Nuh) was also with them. When Gaganpreet Singh going to enter in the house of Bhupinder Singh then Bhupinder Singh by seeing Gaganpreet Singh went inside his house. Then the son of the complainant asked him that Chacha you have got insulted for us and the school staff had strongly complained to him. When the complainant and his daughter in law were in front of the main gate of the house of Bhupinder Singh and Gaganpreet Singh was going towards the residential room of Bhupinder Singh, they had heard a voice of fire from

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the room having black glasses. Then Gaganpreet Singh said that Chacha, what are you doing? When the complainant and his daughter in law were making noise, then Gaganpreet Singh went behind the bushes and made a fire from his licensee revolver in the air. When Gaganpreet Singh tried to change his place then they saw that Bhupinder Singh made another fire from his 315 bore rifle through the grill of room and the same directly hit in the chest of Gaganpreet Singh and he fell down on the earth and blood was oozing. They raised rola and all the servants came there. Then they took Gaganpreet Singh to the hospital but on the way Gaganpreet Singh died. Bhupinder Singh along with his son Kanwarpreet Singh openly committed murder of his son Gaganpreet Singh and he finally prayed for taking action against the accused persons. On the basis of the statement of the complainant, ruqa was sent to the police station and on the basis of ruqa, FIR under Section 302, 120-B of IPC and 25, 54, 59 of Arms Act was registered against the accused persons. Further investigation was carried out. Statements of witnesses were recorded. On 30.07.2016 accused Bhupinder Singh was arrested and on 21.10.2016 accused Kanwarpreet Singh was arrested in the present case. During inquiry on the application dated 13.09.2016 moved by Kanwarpreet Singh, Sections 120-B and 302 of IPC deducted from the FIR and Section 304 of IPC was added against accused Bhupinder Singh and Section 30, 54, 59 of Arms Act was added against accused Kanwarpreet Singh. On completion of the investigation, challan was presented before this Court against both the accused persons.

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3. On presentation of the Challan copies of the same were supplied to the accused free of cost as envisaged by Section 207 of Cr.P.C.

4. I have heard ld. APP for the State and ld. defence counsel and have gone through the case file very carefully and minutely. From perusal of documents placed on the file, it transpires that the accused have committed offences punishable Under Sections 304 IPC & 25,30,54,59 Arms Act. As the offence punishable under Section 304 of IPC is exclusively triable by the Court of Sessions, therefore, the present case is committed to the Court of Learned Sessions Judge, Bathinda, for trial for 02.12.2016. The accused who is on bail is directed to appear and the accused who is in custody is directed to be produced in the court of Learned Sessions Judge, Bathinda at 9.30 AM Sharp on 02.12.2016. Commitment of the case be also notified to the Public Prosecutor, Bathinda. Ahlmad is directed to arrange the file and send the same to the Court of Learned District & Sessions Judge, Bathinda well before the date fixed.

**Announced in open Court.
Dated: 18.11.2016**

**(Gurdarshan Singh)
Judicial Magistrate Ist Class,
Talwandi Sabo.**

Dictated directly on computer