

**In the court of Shri Dinesh Kumar Wadhwa,
Additional Sessions Judge,
Bathinda (UID:PB0445).**

CNR PBBT01-003643-2024.
CIS No.BA-1093 of 2024.
Date of order:04.06.2024.

State	Versus	1. Prempal Singh @ Prem, aged about 20 years son of Gurdeep Singh, resident of village Bandi, PS Sangat, District Bathinda. 2. Harmanjeet Singh @ Ghuggi, aged about years son fo Jagjeet Singh resident of village Phullo Mithi, District Bathinda.
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..... Applicants/ accused.

FIR No.115 dated 20.07.2023.
U/s 302, 325, 323, 148, 149 IPC.
Police Station Sadar, Bathinda.

Bail application u/s 439 Cr.P.C.

Present: Shri S.K.Gupta, learned Advocate for applicants/ accused.
Sh.Daljit Sharma, learned Additional Public Prosecutor for the State assisted by Shri Tejinder Singh Sandhu, learned Advocate for complainant.

ORDER

1) This order of mine shall dispose of second regular bail application filed by applicants/ accused in the subject captioned FIR, first having been dismissed as withdrawn on 19.01.2024.

2) Notice of the bail application was given to the State and Sh.Daljit Sharma, learned Additional Public Prosecutor has appeared in the court to contest the same. Trial file pending in this court is taken up and perused.

3) Sh.S.K.Gupta, Learned counsel for the applicants has argued that latter have been falsely implicated in the present case. There is no direct evidence against the applicants. The applicant Prempal Singh has

been nominated on the basis of supplementary statement dated 20.07.2023 suffered by complainant Jagsir Singh. Harmanjeet Singh has been nominated on the basis of statement dated 23.07.2023 suffered by Gurdeep Singh. The applicants are in custody since 23.07.2023 and no more required for any purpose. Nothing is to be recovered from the applicants. With these submissions, he has prayed for the acceptance of bail application.

4) Per-contra, Shri Daljit Sharma, learned Additional Public Prosecutor for the State has opposed the bail application alleging that accused/ applicants are involved in a serious offence. Though challan has been presented but trial is yet to be commenced and evidence is to be recorded. There is every likelihood that accused may try to win over the witnesses or abscond from the trial if enlarged on bail. With these submissions, they have prayed for dismissal of the bail application.

5) I have heard rival contentions of both the sides and perused the record.

6) The instant FIR has been registered on the basis of statement of Jagsir Singh to the effect that he is having two children namely Jashandeep Singh and Gagandeep Kaur. His son Jashandeep Singh was studying in ETT at Kotshamir. On 18.07.2023 at about 5.00 p.m., he received information on telephone that Jashandeep Singh sustained injuries in a fight at Growth Centre and he has been taken to Civil Hospital, Bathinda. On this, he alongwith his cousin reached Civil Hospital, Bathinda, where Jashandeep Singh disclosed to him that Ranjit Singh son of Gurmit Singh, Gurwinder Singh @ Guri son of Ranjit Singh

and Amanjit Singh @ Amna son of Mohan Singh and 10-12 unknown persons have caused injuries to him with intention to kill him. Due to large number of injuries, Jashandeep Singh was referred to Badial Hospital, Bathinda from where he was referred to Aadesh Hospital, Bhucho, where he died during treatment.

7) On 21.07.2023, on the basis of statement of complainant, accused Bhinder Singh, Karamjit Singh @ Dhuri sons of Leela Singh, Arman @ Ajay son of Jit Ram, Prem Singh son of Gurdeep Singh (applicant no.1), Ranjit Singh @ Sapp son of Gurlal Singh, Surinder @ Nindo son of Hardev Singh and Gurjiwan Singh @ Jiwan son of Tarsem Singh were nominated in this case vide rapat no.35 dated 21.07.2023.

8) On the basis of statement of Gurdeep Singh got recorded on 22.07.2023, accused Arshdeep Singh son of Gurpreet Singh, Gaurav son of Singla, Arshdeep Singh @ Ghuchi son of Makhan Singh r/o Ghuda and Randeep Singh @ Roman r/o Faridkot Kotli were also nominated in this case.

9) On 23.07.2023, on the statemetn of Gurdeep Singh, accused Baljinder Singh and Harmanjit Singh (applicant No.2) were nominated vide DDR No.30 dated 23.07.2023.

10) Though the applicants / accused were not named in the FIR but the have been duly nominated on the basis of statement of complainant Jagsir Singh and Gurdeep Singh, respectively. The accused/ applicants are involved in a serious offence of murder of a person (Jashandeep Singh). The accused were 12 in number who caused multiple injuries on the person Jashandeep Singh with deadly

weapons in prosecution of common object. Injured was shifted to hospital but he succumbed to the injuries. Though three witnesses have been examined but remaining witnesses are yet to be examined. Applicants may try to win over the prosecution witnesses if enlarged on bail. Hence, keeping in view the facts and circumstances of the case, the instant bail application stands dismissed. File be attached with the main trial.

Pronounced in the Open Court:
Dt.04.06.2024.

Kulwinder Singh,
Stenographer(Grade-II).

(Dinesh Kumar Wadhwa),
Additional Sessions Judge,
Bathinda (UID:PB-0445).

CNR PBBT01-003643-2024.
CIS No.BA-1093 of 2024.

State versus Prempal Singh and another

Present: Shri S.K.Gupta, learned Advocate for applicants/ accused.
Sh.Daljit Sharma, learned Additional Public Prosecutor for
the State assisted by Shri Tejinder Singh Sandhu, learned
Advocate for complainant.

Arguments heard. Vide separate detailed order of even date,
the bail application stands dismissed. File be attached with the main trial.

Pronounced in the Open Court:
Dt.04.06.2024.

(Dinesh Kumar Wadhwa),
Additional Sessions Judge,
Bathinda (UID:PB-0445).

Kulwinder Singh,
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