

**IN THE COURT OF SH.B.B.S.TEJI,
SESSIONS JUDGE, BARNALA.**
(U.I.D.No.PB0084)

CNR No.PBBR01-003038-2024
CIS No.BA/1042/2024
Date of Order : 02.08.2024

Manjinder Singh son of Gurmail Singh, resident of village Abbuwal, Tehsil Raikot, District Ludhiana.

...Applicant/accused

Versus

State of Punjab

Application for bail U/s.482 of B.N.S.S.

FIR No.54 dated 01.07.2024
Police Station : Rureke Kalan.
Under Sections : 103(1), 3(5) of BNS
(302,34 of IPC)

Present: Sh.Yadav Sharma Advocate counsel for applicant/accused.
Smt Sukhraj Kaur, Addl.Public Prosecutor for State.

ORDER

1. This application for pre-arrest bail U/s.482 of B.N.S.S. is moved, in above noted FIR on behalf of the applicant.
2. Heard, learned counsel for the applicant and Ld.Public Prosecutor for State and record perused.
3. As per case of prosecution, present FIR was registered on the statement of Jarnail Singh son of Bharpur Singh, on the allegations that he has three sons namely Jaswinder Singh, Jagraj Singh and Jaspal Singh. Jaspal Singh and Jagraj Singh are married and are residing with him

alongwith their families, in the houses constructed in the fields. Jaswinder Singh is unmarried and he had joined Budha Dal Nihang Singh for the last 20 years and now from the last 7 years, he is residing alone in the old house constructed in the village and used to prepare his meal of his own. On 01.07.2024 at about 7.30 am, he alongwith his son Jagraj Singh came to his son Jaswinder Singh in routine and found that outer gate of the house was lying opened and dead body of his son Jaswinder Singh was lying on the cot in the courtyard, in a pool of blood. That some unknown person/persons committed murder of his son Jaswinder Singh by causing injuries with sharp edged weapon on his face and neck. On this statement, present FIR was registered.

4. Learned counsel for applicant has contended that the applicant has been falsely implicated in the present FIR. That initially the FIR was registered against unknown persons and thereafter the applicant has been nominated as accused on the basis of supplementary statement of Jagraj Singh, brother of deceased and son of complainant recorded on 06.07.2024. It is highly improbable that since Jagraj Singh had accompanied the complainant on 01.07.2024, then why he has not disclosed the name of the applicant at that point of time. That applicant is residing far away from the alleged place of occurrence and does not have any connection with the alleged offence and had no enmity with the deceased. That even the motive alleged in the supplementary statement is relating to murder which has taken place in the year 2017. That nothing is to be recovered from the

applicant and applicant is ready to join the investigation and to cooperate in the investigation.

5. On the other hand, learned Addl.Public Prosecutor has contended that the allegations are serious in nature. Although FIR was lodged on 01.07.2024 against unknown persons, however thereafter supplementary statement was recorded by Jagraj Singh, brother of deceased on 06.07.2024 wherein he has specifically recorded that he had come to know that since deceased Jaswinder Singh was witness in the murder case of 2017 of Baba Bahadur Singh, who belonged to a group of accused person, in the said trial, Jaswinder Singh had turned hostile and due to that grudge, murder of Jaswinder Singh was committed in planned manner. That co-accused Paramjit Singh has been arrested and in his disclosure statement, he has spelt out the modus-operandi of offence as well as complicity of the applicant.

6. After considering the above, although FIR was registered against unknown persons, but keeping in view the fact that the investigation is still going on. Hence, taking into consideration the nature of allegations against the applicant, no ground is made out for discretionary relief of bail U/s.482(2) of BNSS. to applicant. Accordingly, instant application for pre-arrest bail is hereby dismissed. Bail papers be consigned to record room.

Announced.
Dated:02.08.2024
J.Sharma/JW-I

(B.B.S.Teji)
Sessions Judge, Barnala
(PB0084)