

In the Court of Sh. Harpal Singh,  
Sessions Judge, Kapurthala, (UID No.PB0036)

B.A. No.1026 dated 08.05.2025

CNR No.PBKP010026272025

Date of Order: 12.05.2025.

FIR No.78 dated 02.05.2025  
U/s 115(2), 118(1), 324(4), 351(3), 333, 191(3), 190 BNS  
PS Sultanpur Lodhi, District Kapurthala.

Milkha Singh aged about 51 years son of Ajaib Singh, resident of  
village Chak Kotla, Mahablipur, District Kapurthala

.....Accused/applicant.

Versus

State of Punjab.

.....Respondent.

Bail application under Section 482 BNSS.

Present: Sh. Ravi Kant Sharma, Advocate, counsel for applicant/  
accused  
Sh. Saurav Khullar, learned PP for the State.

### **ORDER**

1. This bail application has been filed by applicant for the  
grant of anticipatory bail under the provisions of Section 482 of  
BNSS in the above noted case.

2. In nutshell, the prosecution story is that the present case  
has been registered against the accused on the basis of the statement  
of complainant Vishavjot Singh son of Gurdial Singh, resident of  
Chakk Kotla, police station Sultanpur Lodhi, District Kapurthala,  
who had stated before the police authorities that he is resident of

abovesaid address and is an agriculturist. On 27.04.2025 at about 5.30 pm, when he was present in his Haveli in the village, his co-villagers namely Milkha Singh son of Ajaib Singh empty handed, Mandeep Singh @ Goli son of Milkha Singh armed with iron rod, Sandeep Singh son of Milkha Singh armed with baseball bat, Inderjit Singh @ Kala son of Major Singh armed with datar, Major Singh son of Ajaib Singh empty handed, Mandeep Singh Mistri empty handed and Harjinder Singh @ Honey Bains armed with datar forcibly entered into his Haveli. Then Milkha Singh raised lalkara to catch hold of him and should not be spared on which Mandeep Singh gave the iron rod blow on his (complainant) head. Inderjit Singh @ Kala gave datar blow on his person which hit on his forehead. Sandeep Singh gave baseball bat blow, which hit on his right hand. Thereafter he raised raula "Maar Ditta Maar Ditta". Then all the aforesaid assailants gave kick and fist blows on his person. On hearing his raula, his uncle namely Sucha Singh son of Partap Singh came there to rescue him upon which Major Singh picked up a piece of iron from his Haveli and gave blow of the same on the face of his uncle Sucha Singh. The other assailants dragged his uncle and abused and threatened them. On hearing their raula, the people of the village started gathering at the spot upon which all the accused persons fled away from the spot alongwith their respective weapons. Then Rajwinder Singh got arranged the vehicle and got them admitted at Civil Hospital, Sultanpur Lodhi. After sometime, all the above assailants alongwith 8/10 other unknown persons duly armed with

weapons attacked on the house of his uncle Sucha Singh as they believed that they (complainant and his uncle) were present in that house. The accused persons also threw a lot of brick bats at the house of his uncle. After that, all the abovesaid accused attacked on the dairy of Harnek Singh son of his uncle Surjan Singh and gave serious injuries to him. The accused persons also gave serious injuries to Harjinder Singh son of Lal Singh, who was also present at the dairy. The abovesaid injured were also got admitted at Civil Hospital Sultanpur Lodhi for treatment by their family members, where he (complainant) and his uncle Sucha Singh were already admitted. Both his uncles Sucha Singh and Harjinder Singh were referred to some other hospital for proper treatment as they were seriously injured. Thus, it was submitted that necessary action be taken.

3. Upon notice, learned Public Prosecutor for State appeared and he opposed this bail application. Police record has also been produced and perused.

4. I have heard learned counsel for applicant/accused, learned Public Prosecutor for State and have gone through the record pertaining to this case very carefully, with their able assistance.

5. Learned counsel for the applicant-accused submitted that the police of P.S. Sultanpur Lodhi has registered a false case against the applicant-accused although he is innocent and has not committed any alleged crime. There is lot of delay in registration of the FIR. The applicant never entered into the house of the complainant. There is no

direct or indirect evidence against the applicant-accused to connect him with the commission of alleged crime. The applicant/accused is ready to join investigation and to cooperate with the investigating agency. In the end, it is prayed that the applicant-accused be granted anticipatory bail under section 482 CrPC.

6. On the other hand, learned Public Prosecutor for State has argued that the applicant-accused alongwith his co-accused have given injuries on the person of complainant and other injured. Serious offences have been committed by the applicant/accused. No ground is made out to allow the present application because the offence is heinous in nature. So, he prayed for dismissal of the bail application.

7. As per prosecution version, the accused persons have allegedly given injuries to the complainant party and the applicant has only raised lalkara. The applicant/accused Milkha Singh was empty handed and no specific injury has been attributed to him. Custodial interrogation of the applicant/accused is not required at this stage and accordingly it would be appropriate, if applicant/accused Milkha Singh is directed to join investigation and cooperate with Investigating Officer to enable him to further investigate into the matter. Accordingly, applicant/accused is directed to join investigation and co-operate with the concerned IO/SHO and in the event of arrest of applicant/accused, he is ordered to be released on interim bail on his furnishing bail/surety bonds in the sum of Rs.40,000/- with one surety of the like amount to the satisfaction of

IO/Arresting Officer subject to conditions laid down in Section 482

(2) Cr.P.C.

8. Now to come up on 19.05.2025 for compliance report.

Police record be returned and same be again called for the date fixed.

Pronounced in open Court  
Dt.12.05.2025  
(Arun)

(Harpal Singh),  
Sessions Judge, Kapurthala,  
(UID No.PB0036)