

**IN THE COURT OF Ms. ANSHUL BERRY,
ADDITIONAL SESSIONS JUDGE,
FATEHGARH SAHIB.
(UID No. PB0095)**

**CIS No.BA/1393/2024
CNR No:PBFG01-004438-2024
Date of order: 20.12.2024**

Karamjeet Singh aged about 57 years, S/o Sh. Bahadar Singh, resident of House no.195, Chaudhary Colony, Bassi Pathana, Tehsil Bassi Pathana, Distt. Fatehgarh Sahib.

.....Applicant

Versus

1. State of Punjab.
2. P.S Badali Ala Singh.

.....Respondent

**FIR No.81 dated 05.10.2024
Under Sections 303 (2), 317 (2) of B.N.S
Police Station Badali Ala Singh**

Application U/S 482 of B.N.S.S. for grant of anticipatory bail

Present: Sh. Aman Sood Advocate counsel for the applicant.
Sh. Harminder Singh, Addl.PP for the State.

ORDER

1. This order of mine shall dispose of the first anticipatory bail application U/S 482 of B.N.S.S, filed in the above mentioned FIR by the Ld. counsel for the bail-applicant, in which it is stated that applicant is law abiding and peace loving citizen. Police of P.S Badali Ala Singh raising false allegations against the applicant that the applicant has received the stolen Motor Cycle from somebody as the applicant is running the motor cycle repair shop. Now election of ward no.6 is going to be held on 21.12.2024 and the applicant contesting the election as independent candidate for the post of Municipal Councilor of said ward. The reason behind the above said

false allegations is that there is political enmity against the applicant because the wife of the applicant namely Baljit Kaur is Municipal Councilor of Bassi Pathana. Previous ruling party wants to elect their own President in the Municipal Council, Bassi Pathana. Some Councilors of M.C Bassi Pathana brought the no confidence motion against present President which was fallen down due to this reason, Ruling party wants to get implicate the applicant in false cases. The applicant never committed any offence as alleged. Nothing has been recovered from the applicant, so, he be granted bail.

2. Notice of the bail application was given to Ld.Addl.PP for the State/respondent and record was also requisitioned.

3. The **brief facts** of the prosecution case are that the present case has been registered on the statement of Sunny @ Babbu son of Balvir Singh, who stated that he has been working with Arshpreet Singh son of Gurmeet Singh, resident # 1185 Sector 110 TDI City Mohali for a long time and also looking after the house. Since last one year, he has been looking after Arspreet Singh's house number 1185, Sector 110 TDI City Mohali. On 30.09.2024, at 06.00 PM, for some personal work, he had come to Bir Singh Chowk, P.S Badali Singh from Mohali, on a motorcycle make Hero Honda Deluxe, bearing number PB-30-M-3673, color black blue, owned by his brother Balwinder Singh. Then at about 06.30 PM, he parked the motorcycle on one side of the road and locked the motorcycle and went to buy his household goods from a nearby shop. When he came after some time, he saw that his motorcycle was not there where he had parked it. He searched around and inquired from the shopkeepers near the market, but he did not find any clue about his motorcycle. He has been looking for his

motorcycle at his own, but he has not found any clue about his motorcycle. On the statement of complainant, FIR has been registered against unknown person.

4. During investigation, Motorcycle has been found standing in front of the shop of accused Karamjeet Singh. After the recovery of Motorcycle, offence under section 317 (2) has been enhanced in the present case and bail applicant Karamjeet Singh has been nominated as accused in the present case.

4. Ld. Counsel for the applicant has argued that false case has been registered against the bail applicant. He has no concern or connection with the commission of alleged offences. Nothing is to be recovered by the police from the applicant and as such custodial interrogation of the applicant is not required by the police in this case. Bail applicant is ready to join the investigation, so, he be granted anticipatory bail.

5. On the other hand, Ld. Addl.PP for State argued that the bail applicant has committed serious offence, so, bail application be kindly dismissed.

6. After giving careful consideration to the contentions of the Ld. Counsel for the applicant and the Ld. Addl.PP for the State, as per prosecution version the present case has been registered on the statement of complainant against unknown person. Recovery of motorcycle has already been effected in this case and now nothing is to be recovered from the bail applicant. In view of the above said facts and circumstances, bail applicant is directed to join the investigation and he is admitted to **interim**

bail subject to the condition that he will join investigation with the Investigating Officer on or before 24.12.2024 from today, in order to facilitate the investigation, therefore, the bail-applicant be released on **interim bail** to the satisfaction of the Investigating Officer/ Arresting Officer subject to the compliance of section 482 (2) B.N.S.S.

7. Report of I.O. be called for 24.12.2024.

8. In the event of non compliance of directions issued vide this order, the Investigating Officer may proceed as per law.

Pronounced in open Court.

Dated: 20.12.2024

**(Anshul Berry),
Addl. Sessions Judge,
Fatehgarh Sahib
UID No:PB0095**

Harwinder Singh/ Stenographer-II