

**In the Court of Rajwinder Kaur,
Additional Sessions Judge-I, Kapurthala
(UID NO.PB0121)**

CNR No.

PBKP010025532020



Case No. BA/1226/2020

Presented on : 25-06-2020

Registered on : 26-06-2020

Decided on : 29-06-2020

Harmanjit Singh, aged about 23 years, son of Tasvir Singh, resident of village Bamuwal, District Kapurthala.

.....Accused-applicant.

Versus

State of Punjab.

***F.I.R.No. 0187 of 05.06.2020
Under Sections:307/148/149 IPC &
us 25,27,54,59 Arms Act.
Police Station:- City Kapurthala.***

Application for bail under Section 439 Cr.P.C.

Present:- ***Shri Parwinder Singh***, Advocate for applicant-accused through VC.
Shri Shalinder Gill, Addl.P.P. for the State through V.C..

ORDER

Heard on bail application. Police record produced.

2. As per allegations, levelled by prosecution, **Kulwant Kaur**(complainant) wife of Sukhdev Singh, suffered statement to the effect that *Jatinder Singh @ jyoti (non-applicant)* and other co accused alongwith some unidentified persons shot fire aiming towards complainant, her husband and sons, with intention to kill them.

Rajwinder Kaur, Additional Sessions Judge, Kapurthala UID No.PB0121

Thus, instant case under Section 307/148/149 IPC & Under section 25/27/54/59 of Arms Act was got registered.

3. **Shri Parwinder Singh, Advocate**, learned counsel for the applicants/accused vehemently argued that neither the applicant/accused is named in the FIR nor any avert act has been attributed to him. He has been falsely implicated with ulterior motive. Moreover, accused named in the FIR i.e. *Parminder Singh @ Sabi and Jatinder Singh @ Jyoti*, have already been granted concession of bail vide *Order dated 20.06.2020*. Applicant/accused is in judicial custody since 7.6.2020. Thus, prayed for bail

4. On the other hand, **Shri Shalinder Gill**, learned Addl.PP for the State refuted such arguments and argued that *Jatinder Singh @ Jyoti(co-accused/non applicant)* during interrogation, suffered disclosure statement by specifically naming applicant/accused being one of the member of unlawful assembly, sharing common intention for the commission of crime, in instant case. Hence opposed prayer.

5. After having considering submissions put forth by counsel for both the parties and perusal of original file reveals that applicant/accused is neither named in the FIR nor any injury has been attributed to him. He came into light on the basis of disclosure statement suffered by *Jatinder Singh @ Jyoti(co accused/non applicant)* only. Arrest of accused has already been effected on 7.6.2020. Completion of investigation and conclusion of trial likely to take a long time. Moreover, keeping in the prevailing condition of

Covid-19 pandemic disease, and without commenting upon the merits of case, bail application filed on behalf of ***Harmanjit Singh*** (*applicant-accused*) is, hereby, ***allowed*** and applicant-accused **is** ordered to be released on bail, on his furnishing bail bonds to the satisfaction of learned Illaqa Magistrate/Duty Magistrate. *Copy of this order be sent to the Illaqa Magistrate/Duty Magistrate for compliance.* However, it is made clear that if applicant/accused failed to appear before the trial court, then this order shall deemed to be cancelled.

6. However, nothing stated herein above shall have not bearing on the merits of case. File be consigned to the Record Room, Kapurthala.

Pronounced in open Court.

Dated: 29.06.2020

(Nirlep Kaur)

***(Rajwinder Kaur),
Addl.Sessions Judge,
Kapurthala.
(UID No.PB0121)***

CNR No.

PBKP010025532020



Case No. BA/1226/2020

Presented on : 25-06-2020

Registered on : 26-06-2020

Decided on : 29-06-2020

Present:- **Shri Parwinder Singh**, Advocate for applicant-accused through VC.
Shri Shalinder Gill, Addl.P.P. for the State through V.C..

Arguments heard. Vide my separate detailed order of even date, regular bail application filed by accused-applicant stands **allowed**, as detailed therein. *Copy of this order be sent to the Illaqa Magistrate/Duty Magistrate for compliance.* Papers be attached with the remand papers.

Pronounced in open Court.

Dated: 29.06.2020

(Nirlep Kaur)

***(Rajwinder Kaur),
Addl.Sessions Judge,
Kapurthala.
(UID No.PB0121)***