

**IN THE COURT OF MS.LUKHVINDER KAUR DUGGAL,
ADDITIONAL SESSIONS JUDGE, FEROZEPUR.**

*BA No.231 of 2026.
CNR No.PBFZ01-000453-2026.
Decided on 3.2.2026.*

1. Harpreet Singh aged 25 years son of Nishan Singh, resident of Village Fatehgarh Sabhran, Tehsil Zira, District Ferozepur.
2. Arshdeep Singh aged 30 years son of Gurwinder Singh, resident of village Fatehgarh Sabhran, Tehsil Zira, District Ferozepur.

.....Applicants/Accused.

Versus

State of Punjab.

....Respondent.

FIR No.146 dated 9.9.2022
under section 302, 307, 336, 447, 148, 149, 120-B IPC
and 25/27/29 Arms Act.
Police Station: Mallanwala.

Present: Sh.Varinder Kumar Sharma, Advocate for the applicants-accused, Harpreet Singh and Arshdeep Singh.
Sh.Baljit Singh, learned APP for the State assisted by
Sh.J.S.Kalra, Advocate counsel for complainant.alongwith
ASI Karnail Singh NO.257/FZR P.S.Mallanwala.

ORDER

1. This order of mine shall dispose of anticipatory bail application filed by the accused/applicants in the case mentioned above.

2. Notice of the bail application was issued to the state and Sh.Baljit Singh, learned APP appeared on behalf of the State. The concerned Ahlmad has reported that as per CIS system, this is first anticipatory bail application of applicant/accused. No other bail application of application is pending or decided in the present FIR in the Hon'ble High Court as well as Hon'ble Supreme Court of India. ASI Karnail Singh No.257/FZR P.S.Mallanwala has produced the record of investigation and suffered statement that this is first anticipatory bail application of applicants and no other bail application is pending or decided by any other Court including Hon'ble High Court. There is no other FIR registered against the accused. Custodial interrogation of applicant/accused is required in this case.

3. Learned counsel for applicants/accused has argued that applicants-accused are innocent and they have been falsely implicated in the present case. He further contended that name of applicants/accused were mentioned in the FIR but during investigation of the case, their names were placed in column no.2 of the report under section 173 Cr.P.C. by declaring them innocent and the Trial Court has issued summons to applicants/accused on the application under section 358 BNSS filed by prosecution vide order dated 13.1.2026 and

as such applicants/accused filed the present bail application before the Court. No offence is made out against applicants/accused. Since registration of FIR, applicants/accused are apprehending their arrest from the hands of police despite of their innocence. Applicant undertake to cooperate the police during the course of investigation. Lastly, he prayed that the applicants/accused be released on anticipatory bail.

4. On the other hand, learned APP for the state assisted by learned counsel for complainant has strongly opposed the bail application and argued that the applicant/accused has committed the serious offences and custodial interrogation of the applicant/accused is required and as such, they are not entitled for concession of anticipatory bail. Hence, he prayed for dismissal of the present bail application.

5. I have heard the learned counsel for the applicant/accused, learned APP for the State assisted by learned counsel for complainant and have gone through the police record, minutely.

6. From the perusal of main file pending in this Court has been put by the Ahlmad, it transpired that it is a case of version and cross version. Present FIR was registered at the instance of Pargat

Singh son of Sulakhan Singh, on the allegations that he has dispute regarding partition of 15 Killas of land with Kabal Singh and others, which is pending in the court of SDM, Zira, which is being pursuing by Harpreet Singh son of Nishan Singh, Jaswant Singh son of Joginder Singh, Hardeep Singh son of Joginder Singh and Arshdeep Singh son of Gurwinder Singh. On 08.09.2022, at about 12/12:30 p.m., he alongwith his brother Jaswant Singh was working in their fields. All of sudden, they heard sound of fire shot and they saw that Gurdev Singh Fauji son of Santokh Singh and his brother Harbhajan Singh Sukhdev Singh alongwith many people came on tractor and other vehicles and started ploughing Chari fodder sown over the land measuring 4 Kanal 8 Marlas, which is in their (complainant's) possession. Gurdev Singh, Harbhajan Singh and Sukhdev Singh were firing from their rifles. Out of fear, he alongwith his brother Jaswant Singh rushed towards their house and on seeing them, Kabal Singh, his son Jaswant Singh and Nishan Singh son of Kundan Singh started raising Lalkaras. When they reached near their house, on hearing clamour, his (complainant's) son Balraj Singh, brother Balwinder Singh, nephew Gurjit Singh came forward to rescue them, whereupon Gurdev Singh Fauji armed with 315 rifle, Harbhajan Singh armed with 315 rifle, Sukhdev Singh armed

with 12 bore gun, Malook Singh, Gursewak Singh armed with kirpan, Guravtar Singh son of Malook Singh, Sardool Singh son of Harbans Singh, Ranjit Singh son of Sardool Singh, Palwinder Singh son of Bakhshish Singh along with other 25/30 unidentified persons came there. Malook Singh raised Lalkara to kill all of them. Then, Gurdev Singh Fauji fired shot from his 315 bore rifle with the intention of killing his son Balraj Singh, which hit his right shoulder. Harbhajan Singh fired a shot from 315 bore rifle, which hit his brother Balwinder Singh. Gurdev Singh Fauji fired from his gun which hit left thigh of his nephew Gurjit Singh. Then, Sukhdev Singh fired shot from his 12 bore gun towards Gurjit Singh which hit his left leg and right leg. Sukhdev Singh also fired shot towards his brother Jaswant Singh, the pellets of which hit Jaswant Singh on chest, face and forehead. Then Sukhdev Singh fired another shot towards him (the complainant) which hit his both legs. He raised an alarm, whereupon all the assailants fled away from the spot on their vehicles. Balraj Singh, Balwinder Singh, Jaswant Singh and Gurjit Singh were taken to Civil Hospital, Ferozepur, where Balraj Singh and Balwinder Singh were declared to be dead by the doctor, whereas Jaswant Singh and Gurjit Singh were referred to GGS Medical College, Faridkot.

7. After the perusal of the record placed before me, it shows that applicants/accused were declared innocent during investigation and their names were kept in column no.2. Challan was presented against co-accused Kabal Singh, Jaswant Singh, Gurdev Singh, Harbhajan Singh, Sukhdev Singh, Navtej Singh and thereafter supplementary challan was presented against accused Heera Singh and amended charge was framed. Thereafter prosecution has examined PW1 Dr.Manpreet Singh, PW2 Pargat Singh, complainant in the present case, PW3 Dilbagh Singh and PW4 Darbara Singh and PW2 to Ex.P4 in their examination in chief have specifically named the accused in the alleged crime. Thereafter during trial, learned APP for the State filed an application under section 319 Cr.P.C for summoning the applicants/accused which was allowed vide order dated 13.1.2026. There are specific allegations against applicants/accused alongwith other co-accused that they formed an unlawful assembly and they while being armed with deadly weapons came at the spot and they fired shot towards Balraj Singh, Balwinder Singh, Jaswant Singh and Gurjit Singh and out of which, Balraj Singh and Balwinder Singh were died due to fire shot. They also caused injuries to Jaswant Singh and Gurjit Singh with their respective weapons. Further, there are specific

allegations against applicants/accused that they have actively participated in the alleged crime. It is double murder case. So, keeping in view the seriousness and gravity of the offence and without expressing any opinion on the merits of the case, this Court finds that no ground is made out to grant anticipatory bail to the applicants/accused.

8. Hence, in view of my above said detailed discussion, the present applicants/accused does not deserve the concession of anticipatory bail. Accordingly, the present bail application filed by the applicants-accused for grant of anticipatory bail is hereby stands dismissed.

9. However, the observation made above shall not effect on the merits of the case.

10. Police file be returned. Papers be tagged with the main file or be consigned.

Pronounced in the ----sd----- (Lukhvinder Kaur Duggal)
open Court on Additional Sessions Judge,
3.2.2026. Ferozepur.

Typed by Rohit Kakar

Stenographer II

** directly dictated.*

UID No.PB0156

