

PBBTA10018682022



Presented on : 15-10-2022
Registered on : 15-10-2022
Decided on : 05-04-2023
Duration : 0 years, 5 months, 21 days

In the Court of Anupam Gupta, PCS
Judicial Magistrate 1st Class, Talwandi Sabo, (UID PB-0591)

CIS No. CHI/127/2022
Date of Commitment:05.04.2023
Committed For:20.04.2023

State Versus Piara Singh son of Nazar Singh, resident of Swaitch
Kamalu, District Bathinda.

.....Accused.

FIR No. 76 Dated:11.05.2017
U/S 336 IPC and 25 of Arms Act.
Police Station: Maur.

Present: Ld. APP for the State.
Accused on bail with counsel Sh.H.S.Chahal Advocate.

Commitment Order:-

1. The accused person named above have been sent up by the Station House Office, Police Station Maur to face trial for offence punishable under Sections 336 of Indian Penal Code 1860 (in short hereinafter IPC) and Section 25 Arms Act.
2. Briefly, the case of the prosecution is that on 11.05.2017, police station Maur received ruqa from Civil Hospital, Maur to the effect

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that Mewa Singh is admitted in Civil Hospital as he has suffered injuries. As such, ASI Darshan Singh alongwith police party went to Civil Hospital, Maur for the purpose of investigation. The investigating officer got recorded the statement of injured/complainant Mewa Singh to the effect that the he is resident of village Swaitch Kamalu and is an agriculturist. On 11.05.2017, the complainant was present at his fields and saw that Piara Singh is cultivating the land of the complainant with his eicher tractor. When complainant tried to stop him, them at about 11.00 A.M, Piara Singh came towards the complainant and fired two shots from his revolver towards the complainant with intention to kill him, however, injuries were only inflicted on the fingers of the complainant. The complainant raised hue and cry and as such Sukhwinder Singh and Sukhdarshan Singh came present at the spot. Upon seeing the aforesaid persons, accused Piyara Singh fled away from the spot. Thereafter, complainant was admitted in the Civil Hospital. The complainant also handed over the revolver used by accused to police which was laying in his fields. As per the complainant, the motive behind the aforesaid occurrence is prior quarrel pertaining to adjoining land between the accused and complainant. After perusing the MLR as well as statement of complainant, FIR under Section 307,323 of IPC, 25/54/59 of Arms Act were registered against the accused. The police party went to the spot and prepared rough site plan. Statement of witnesses were recorded. During the investigation offence under Section 307 was reduced to Section 336

IPC vide DDR No. 27 dt. 05.06.2017. After completion of investigation, challan under section 336 of IPC, 27,54,59 of Arms Act was filed.

3. On presentation of challan, copies of documents as relied upon by the prosecution, were supplied to the accused person free of cost as required under Section 207 of the Code of Criminal Procedure 1973.

4. Heard. From the evidence collected by the Investigating Officer, prima-facie, it appears that offence under Section 307 of Indian Penal Code, is alleged to be committed by the accused person which is exclusively triable by the Court of Sessions. No proper justification has been given by the police to reduce the section 307 of IPC. The complainant has specifically stated bullets were fired with intention to kill him. Therefore, this case stands committed to the Court of learned Sessions Judge, Bathinda for 20.04.2023 for further proceedings. Accused is on bail, is directed to appear before the Court of Ld. Sessions Judge on the next date of hearing i.e. 20.04.2024 at 10:00 A.M Sharp, Bathinda. Learned Public Prosecutor be notified about the commitment of the case to the court of Sessions. Concerned Ahlmad is directed to send the file, complete in all respects, to the Court of learned Sessions Judge, Bathinda well before the date fixed.

Pronounced in open court:
05.04.2023

(Anupam Gupta),
Judicial Magistrate 1st Class
Talwandi Sabo
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Present: Ld. APP for the State.
Accused on bail with counsel Sh.H.S.Chahal Advocate.

Ld. Counsel for the accused has moved an application for attesting the bail bonds. In view of vide order dated 11.01.2023 passed by Sh. Hira Singh Gill, Learned Additional Sessions Judge Bathinda, in which accused Pyara Singh has been granted bail on furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount. In compliance of the above said order, bail bonds and surety bonds furnished which are accepted and attested. Release warrant of accused Pyara Singh be issued.

Heard. Vide my separate detailed order of even date, this case stands committed to the Court of learned Sessions Judge, Bathinda for 20.04.2023. Accused Pyara Singh, who is on bail is directed to appear before the Court of Ld. Sessions Judge, Bathinda on the date fixed at 10:00 A.M sharp. Learned Public Prosecutor be notified about the commitment of the case to the court of Sessions. Concerned Ahlmad is directed to send the file, complete in all respects, to the Court of learned Sessions Judge, Bathinda well before the date fixed.

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