

In the Court of Barjinder Pal Singh,
Addl. Sessions Judge, Barnala.
(Unique identification no.PB0185)

Bail Application No.344 of 2019.
Decided on: 23.4.2019.

Makhan Singh alias Ranjit Singh son of Raghbir singh, resident of Rureke Kalan, Tehsil Tapa, District Barnala.

Accused/applicant.

Versus

State of Punjab

Bail Application No.358 of 2019.
CNR No. PBBR01-001050-2019
Decided on: 23.4.2019.

Darshan Singh son of Mohinder Singh, resident of Badra, District Barnala.

Accused/applicant.

Versus

State of Punjab

Bail Application No.381 of 2019.
CNR No. PBBR01-001115-2019
Decided on: 23.4.2019.

Ram Singh aged about 35 years son of Karam Singh, resident of near Bus Stand, Badra, Tehsil and District Barnala.

Accused/applicant.

Versus

State of Punjab

FIRNo.105 dt. 28.3.2019.
Offence u/s 365/511/120B IPC
PS , City, Barnala.

Bail applications under Section 438 Cr.P.C.

Present: Sh. SS Rahi, Adv. Counsel for the accused/ applicant Makhan Singh and Ram Singh
Sh. NP Singh, Adv counsel for accused/applicant Darshan Singh

Sh.Gagandeep Bhardwaj, Addl. PP for the State

ORDER:

This order will decide these three applications u/s 438 Cr.P.C being arisen from the same FIR.

2 Accused/applicant Makhan Singh has alleged in his bail application that he is innocent person. He has dispute with his in laws. The complainant in this case is the aunt(Massi) of wife of the accused/applicant. So the name of the accused/applicant has been dragged in this case to take revenge of the above said dispute.

3 Accused/applicant Darshan Singh has alleged in his bail application that he is innocent person. He has filed civil suit against the complainant which is pending for 17.5.2019 and he has been involved in this case in order to put pressure not to pursue the said civil suit.

4 Accused/applicant Ram Singh has alleged in his bail application that he is innocent person. There is long dispute between the complainant and accused/applicant about the land of Gurdev singh and as such he has been involved in this case.

5 Today record is produced. This Court has heard the learned counsels for accused/applicants and Addl.PP for the State and perused the record.

6 As per the prosecution case, on 27.3.2019 non-applicants Bachittar Singh, Gurpreet Singh , Inderjit Singh and Judge Singh entered into the house of the complainant and attempted to kidnap Gurdev Singh, uncle of her husband, but when she raised hue and cry, people gathered at

the spot and the above said persons fled away from the spot. The complainant Sukhpal Kaur had also got recorded in her statement that this act was done by the above said persons with the active connivance of Dashan Singh, Makhan Singh(accused-applicant) and accused/applicant Ram Singh. Thus, admittedly at the time of alleged commission of offence, accused/ applicant was not accompanying the above said four persons. Accused/applicants have already joined the investigation in compliance with the order passed by the undersigned on 3.4.2019 and 10.4.2019 respectively and today ASI Surinderpal Singh has appeared in the court and got recorded his statement that accused/applicants have joined the investigation and they have co-operated in carrying out the investigation. In this view of the matter, custodial interrogation of the accused/applicants is not required. So when IO has suffered the statement to the effect that all the accused/applicants have no more required and their custodial interrogation is not required. So in these circumstances, interim bail already granted to the bail applicants is made absolute but subject to the condition that accused/applicants shall remain joining the investigation as and when required and also subject to the following conditions:

1. That the applicant/accused shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court;
2. That the applicant/accused shall not leave India without the permission of the court.
3. That the applicant/accused shall co operative in the investigation.

A copy of this order be placed in the connected bail applications files. Files be consigned to the record room.

Pronounced.
April 23,2019.
Baldev Ahuja JWI

Barjinder Pal Singh
Addl. Sessions Judge,
Barnala.UID NO. PB0185