

In the Court of Sh. Harpal Singh,
Sessions Judge, Kapurthala, (UID No.PB0036)

CNR No. PBKP010044562025



Case No. BA/1855/2025

Presented on : 30-07-2025

Registered on : 31-07-2025

Decided on : 11-08-2025

FIR No.43 dated 27.05.2025
U/s 109/317 (2) BNS
U/s 25/54/59 Arms Act
P.S. Dhilwan, District Kapurthala.

Joga Singh, aged about 39 years son of Lakhwant Singh, resident of village Lattianwal, P.P. Mothanwal, Tehsil Sultanpur Lodhi, District Kapurthala.

.....Accused/applicant.

Versus

State of Punjab.

.....Respondent.

Bail application under Section 483 BNSS.

Present: Sh. Sukhminder Singh, Advocate, counsel for the applicant/accused.
Sh. Amandeep Singh, learned PP for the State.

ORDER

1. Above named applicant/accused has moved this bail application under Section 483 BNSS, for grant of regular bail, in the above said criminal case.

2. In nutshell, the prosecution story is that the present case

has been registered against the accused on the basis of the statement of Inspector Jarnail Singh No.61/JR, CIA, Kapurthala, who had stated that he posted as In-charge in CIA Staff, Kapurthala. For the past few days in the area of Kapurthala, two unknown persons on a Platina motorcycle used to stop the passersby at the point of firearms and sharp edged weapons for snatching their motorcycles, cash, gold ornaments and mobile phones, whose descriptions and photos had already been released by the police stations. Several cases have also been registered against them in various police stations and the SSP had also issued instructions to arrest them. On 27.05.2025, he (Inspector Jarnail Singh) received information that the aforesaid persons were roaming in the area of Police Station Dhilwan on a motorcycle in order to commit such offence. On this, he alongwith ASI Harjinder Singh 720/Kpt., ASI Jasvir Singh No.887/Kpt., Senior Constable Jagroop Singh No.268/Kpt., Constable Jaswant Singh No.593/Kpt., Constable Navdeep Singh No.1586/Kpt., on official vehicle bearing registration No.PB-65-AV-8601 driven by ASI Kuljinder Singh No.675/Kpt., were patrolling from Dhilwan towards Bann Darya Mand Dhilwan. At about 6.20 AM, they noticed that two young persons came on a motorcycle from the front side at a very high speed, who on seeing the police vehicle from about 200 yards, stopped their motorcycle and tried to turn back. Their faces were matching with the information. On suspicion, he (Inspector Jarnail Singh) chased them on his vehicle and after about 1½ kilometer, the motorcycle of aforesaid persons slipped on the road as they lost their

control over the same due to over-speeding. Then both the aforesaid persons with intention to kill, opened direct fire towards the police party but the same washed out as the police party was under the shelter. Afterwards, in order to save himself as well as his police team, Inspector Jarnail Singh fired 02/02 shots in air from his service pistol. Then he asked those assailants to raise their hands and surrender as they were surrounded, but they fired more shots at the police party. When they started running towards the fields, then Inspector Jarnail Singh alongwith ASI Harjinder Singh fired at them with their service weapons and they fell down while running, whom he asked to throw down their weapons and to raise their hands and surrender. They threw down their weapons to their right side and sat down and raised their hands. Then both the assailants were arrested. On enquiry, they disclosed their names as Hukam Singh son of Lakhwant Singh and Joga Singh son of Lakhwant Singh, residents of Village Latianwal, Police Station Sultanpur Lodhi, District Kapurthala. They were having wound on their left and right leg. Thereafter, one pistol 7.65 MM and two live cartridges of 7.65 MM, which was thrown away by accused Hukam Singh, was recovered from the spot. Two used cartridges were also recovered from there. Further, one pistol 7.65 MM and one live cartridge of 7.65 MM, which was thrown away by accused Joga Singh, was recovered from the spot along with two used cartridges. One motorcycle make Platina bearing registration No.PB-09-AL-5838 was also recovered from there. In view of the aforesaid allegations, the present FIR was

registered.

3. Upon being put to notice, learned Public Prosecutor appeared for the State and opposed this bail application. Police record has also been produced and perused.

4. I have heard learned counsel for applicant/accused, learned Public Prosecutor for State and have gone through the record pertaining to this case very carefully, with their able assistance.

5. Learned counsel for the applicant-accused submitted that both the accused are real brothers and have nothing to do with the commission of the alleged offence and they were falsely implicated in the present case. The present FIR has been registered on the secret information and after thorough investigation, and presented the challan in the court, which shows that no police official was injured and no incriminating evidence/ article has come on record against the applicant/ accused. No complaint of looting or causing injury to any person has been received against the applicant/ accused, which shows the applicant/ accused is notorious person and involved in illegal activities. The police aggressively fired bullet shots upon the applicant/ accused, which hit upon his leg and thereafter, the police just to save their skin, registered the present false case. The pellets of cartridge are still in the body of applicant/ accused. There is no direct or indirect evidence against the applicant /accused to connect him with the commission of alleged offence. The applicant is in judicial custody since long. The applicant is ready to abide by all the terms and conditions to be imposed by the court. In the end, it is prayed

that the applicant-accused be granted the concession of regular bail.

6. Admittedly, applicant/ accused Joga Singh is in custody in this case w.e.f. 27.05.2025. The alleged recovery has already been effected in the present case. The present case is a case of no injury. He has denied all the allegations of the prosecution. His criminal liability, if any, would be subject to trial, on the basis of evidence adduced. Conclusion of trial will take considerable time. In these circumstances, the applicant-accused is no more required for further interrogation or recovery purposes in this case, by the investigating agency. So, no useful purpose would be served by keeping the accused behind the bars for an indefinite period, particularly, when he is ready to comply with all the terms and conditions of bail and is further ready to stand the trial. Keeping in view all these facts and circumstances, a case is made out to allow this bail application. This bail application is accordingly allowed and disposed of. Applicant/ accused Joga Singh is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety of the like amount, to the satisfaction of the Trial Court /Duty Magistrate. Copy of this order be sent to the Court of concerned Trial Court /Duty Magistrate, for compliance. Anything said in this order, shall not affect the merits of the main trial, in any manner. Ahlmad of this court is directed to send the copy of this order to the concerned jail authorities through E-mail forthwith to inform that bail application of applicant/accused has been allowed and to supply copy of the same to the

applicant/accused. Record be returned accordingly. Record of this bail application be consigned to the judicial record room.

Pronounced in open Court
Dt.11.08.2025
(Arun)

(Harpal Singh),
Sessions Judge, Kapurthala,
(UID No.PB0036)

Joga Singh Vs. State of Punjab

CNR No.PBKP010044562025
Bail application No.1855 of 2025

Present: Sh. Sukhminder Singh, Advocate, counsel for the
applicant/accused.
Sh. Amandeep Singh, learned PP for the State.

Today an application for seeking permission to amend the
bail application has been filed. Notice of the same be given to
learned Public Prosecutor for the State, who has stated that he has no
objection if the application in hand is allowed in the interest of
justice. Accordingly the application in hand stands allowed and
disposed of. Amended bail application is already on the record.

Arguments heard. Vide separate detailed order of even
date, the present bail application filed on behalf of applicant Joga
Singh has been allowed. Record be returned accordingly. Record of
this bail application be consigned to the record room.

Pronounced in open Court
Dt.11.08.2025
(Arun)

(Harpal Singh),
Sessions Judge, Kapurthala,
(UID No.PB0036)