

**IN THE COURT OF PREM KUMAR, ADDITIONAL DISTRICT AND
SESSIONS JUDGE/VACATION/DUTY JUDGE, TARNTARAN.
UID NO. PB0451**

**Bail Application no. 1902 of 2025
Date of Order : 19.06.2025**

Sukhbir Singh @ Sukh aged about 29 yers s/o Dilbagh Singh r/o Village
Barwala Tehsil Patti, District Tarn Taran.

.....Accused/petitioner.

Versus

State

(First Bail application under Section 483 of BNSS)

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**FIR No. 119 dated 13.09.2024
Under Section: 103,3(5) of BNS section 25 of Arms Act,
61(2), 249,253 of BNS added later on
Police Station : Sirhali.**

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Present : Mr. Harmanjit Singh Advocate, counsel for the
applicant/accused.
Shri Gaurav Dewan Additional Public Prosecutor
for the State.

O R D E R

1. This order of mine shall dispose of the application for
bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita (hereinafter
referred to as B.N.S.S) filed on behalf of the applicant/accused Sukhbir
Singh in case FIR No. 119 dated 13.09.2024 Under Section:103,3(5) of
BNS section 25 of Arms Act, 61(2), 249,253 of BNS added later on Police
Station : Sirhali.

2. Notice of the bail application was issued to the State and record was requisitioned. Sh. Garuav Dewan, APP for the state appeared on behalf of the State. Police record produced.

3 Ld. APP for the State namely Sh. Gaurav Dewan argued that the complainant lodged FIR with the allegations that he and his brother on 12.09.2024 at about 7:00 PM, on the motorcycle was going to purchase some domestic articles near adda Naushara Pannua and he was purchasing house articles and his brother Bacihhtar Singh was sitting on the motorcycle near Tinku Bakery. In the meanwhile, from the side of Sarhali, one motorcycle two persons were riding on it and muffled faces came there and fired upon his brother Bachittar Singh by pistol. Due to gun shot injury, his brother Bachittar Singh fell on the earth and both motorcyclist ran away from the spot. The complainant and his cousin brother Varinder Singh got admitted his brother at Guru Nanak Dev Hospital, Tarn Taran where after examining by doctor declared him dead and the report is lodged. Thereafter, during investigation, after identification of the complainant, the accused/applicant is nominated in the present case and other co-accused are also nominated in the present case. Thereafter, during investigation, the applicant/accused was nominated in the present FIR on the disclosure statement of co-accused Gurpreet Singh @ Gora vide rapat no. 35 dated 03.10.2024. Prayed for dismissal of the bail application and number of co-accused are yet to be arrested.

4 Sh. Harminderjit Singh Sandhu, Adv. Ld. counsel for the accused argued that as per the contents of the FIR, the accused is not named in the FIR and on the disclosure statement of the co-accused, the applicant/accused was nominated in the present case and false case has been registered upon him. Ld. Counsel for accused placed on record the Judgments i.e. **Akhatri Bi vs. State of M.P (2001) 4 SCC 355, Surinder Singh @ Shingara Singh vs. State of Punjab 2005, CRL, 1674 P. Ramachara Rao vs. State of Karnathaka 2002 4 SCC, 578, Kamal Kishore Vs. State (Delhi Adminstration) 1992 (2) Crime 169 (Delhi), Mohammad Fasrin Vs. State of Rep by the intelligence officer cited as it 2019 (4) RCR criminal 362.** Further argued that he is entitled for bail. Even Hon'ble Punjab and Haryana High Court also granted bail to the co-accused.

5 Heard. Record perused.

6 As per record, the brother of the complainant was shot by unknown persons later on he identified the all the accused. The accused Ajmeet Singh, Randeep Singh, Gurpreet Singh and Prabhjit Singh were arrested in the present case and from the disclosure statement of arrested accused, the accused/applicant is named in the present case. Even though the challan has been presented. However against the applicant, the challan is yet to be presented. Against the accused/applicant, the allegations are serious in nature. At this stage, no ground is made to allow the present bail application as there is possibility of interfering and tampering in the evidence of witnesses. None of the witnesses has been examined so far.

Accordingly, the present bail application stands dismissed. File be attached with the main file.

Pronounced in open Court
Dated: 19.06.2025

Prem Kumar
Additional Sessions
Judge/Vacation/Duty Judge,
Tarn Taran/UID-PB0451

Typed by Aman (Steno)