

IN THE COURT OF BISHAN SAROOP,
ADDITIONAL SESSIONS JUDGE,-CUM
DUTY OFFICER, MOGA (UID No.PB0449).

(1)

CNR No.PBMO010044272026
CIS Filing No.BA/1792/2026
Date of order : 12.06.2026

Shani alias Sandeep Singh son of Buta Singh resident of village Nathewala,
Tehsil Baghapurana, District Moga.

---Accused-applicant

Versus

State of Punjab

(2)

CNR No.PBMO010044262026
CIS Filing No.BA/1793/2026
Date of order : 12.06.2026

Lovepreet Singh alias Lavi son of Kartar Singh resident of village Bhaloor,
Tehsil Baghapurana, District Moga.

---Accused-applicant

Versus

State of Punjab

FIR No.147 dated 25.05.2026,
U/ss :- 109, 118 (1), 115 (2), 126 (1), 3 (5) of B.N.S. Act,
Police Station :- Baghapurana.

Bail Applications under Section 482 of BNSS.

Present :- Sh. G.K.Bansal Advocate for accused-applicants
Mrs. Gunwantjit Manesh, Addl. Public Prosecutor for State
assisted by Sh. SPS Kaler, Advocate for complainant

ORDER

Files put up before me being Duty Officer during summer
vacations. Vide this common order, I shall dispose of the aforesaid two

applications for grant of bail filed by the above referred applicants-accused under Section 482 of the B.N.S.S. as same are arising out of case bearing FIR No.147 dated 25.05.2026, U/ss 109, 118 (1), 115 (2), 126 (1), 3 (5) of B.N.S. Act, registered at Police Station Baghapurana.

2. The brief facts of the case are that aforesaid FIR was got registered on the basis of statement of complainant Mansimran Singh, wherein he has stated that on 20.05.26 at about 2:30 PM he was going on his motorcycle to get tea for the workers. While he was travelling from Nathewala towards Hariewala road, a white Swift car came from ahead. The driver tried to hit him, but I escaped. When he went a little ahead, the car turned around near their village and came back toward him. From that car, Vishu son of Sukhamandar Singh resident of Nathewala, armed with Kapa, and Lovepreet Singh alias Lavi son of Kala Singh resident of Bhaloor armed with Kirch got out and surrounded him. On the driver's seat, Shani son of Boota Singh resident of Nathewala was sitting. Vishu raised lalkara that today they will not leave him alive and teach him a lesson for fighting. Thereafter, Vishu gave kapa blow towards him with the intention to hit him which struck on back side of his head, near left side behind his ear. Then he again gave kapa blows which hit on his elbow, his right hand's ring finger, his right elbow, and his right knee and he fell down and while he was lying on the ground, Lovepreet Singh gave kirch blows which hit on his right elbow, the middle finger of his left hand, and his left forearm elbow. Then Vishu again gave kapa blow which struck on his right shoulder. While he was lying on the ground, Lovepreet Singh alias Lavi again gave kirch blow which hit on his left shoulder and right shoulder. As he raised alarm, then accused Shani who was sitting in the car, said to leave quickly and go away so that people would not gather here. Thereafter, all the accused fled away from the spot alongwith their respective weapons while giving threats to him. The motive behind the occurrence was that they had a previous village dispute with accused persons, and the respected persons of the village had arranged a settlement but the accused persons were not happy with the same and due to that grudge, they made a attack on him with the intention to kill him. After that, Jagga Singh son of Nirmal Singh resident of

Nathewala and his father Gurpal Singh arrived at the scene and arranged the vehicle, and got him admitted to Guru Gobind Singh Medical College. On the basis of statement of the complainant, FIR was got registered against the accused/applicants and other co-accused. Now, apprehending their arrest, the accused/applicants have filed the present bail applications.

3) Learned counsel appearing on behalf of the applicants/accused submitted that a false case has been registered against the applicants/accused. He has further submitted that applicants/accused have not committed any offence as alleged in the FIR. He also submitted that accused/applicants have not caused any injuries as alleged in the FIR. The complainant has invoked the provisions of Section 109 of BNS Act merely to harass the applicants/accused and to defeat his valuable rights. There is no allegations or medical evidence showing any grievous or life threatening injury. Therefore incorporation of Section 109 of BNS is wholly illegal and unjustified. He further submitted that since nothing is to be recovered from the accused/applicants, as such, their custodial interrogation is not required. The accused/applicants are ready to join the investigation. With these submissions, they requested for according interim bail to the accused/applicants till the final decision of the bail applications.

4) On the other hand, learned Addl.PP for State assisted by learned counsel for the complainant has contended that in view of the seriousness of the offence so committed by the applicants/accused, they do not deserve any kind of leniency. They further argued that custodial interrogation of the accused/applicants is required for the effective investigation. They prayed that keeping in view of the seriousness of the offence, bail applications of the applicants may kindly be dismissed.

5). Today ASI Surjit Singh has come present and suffered his separate statement that he has brought the record concerning the present bail application. As per record, this is first bail application of the accused/applicants. The custodial interrogation of the accused/applicants is required as the recovery of car and weapons are yet to be effected. However, no other criminal case has been registered against the accused/applicants except the present case.

6) After giving my thoughtful consideration to the rival submissions put forth by both the side and on careful perusal of averments put in the application, coupled with due assistance rendered, record so produced, the court finds merits in the submissions of learned Addl. Public Prosecutor for the State. The plea of false implication as now raised on behalf of the applicants/accused can only be ascertained at a later stage, when the evidence is adduced during the course of trial. I feel that the allegations as levelled against the applicants/accused, prima facia, do not seem to be false or groundless as there are specific allegations against the accused/applicants that accused/applicants along with their co-accused have caused multiple injuries on person of complainant with an intention to kill him. In this case, recovery of weapons used in the commission of offence are yet to be effected and for effective investigation and for recovery of weapons, the custodial interrogation of the accused/applicants is required. It is well settled that the provisions of section 482 of B.N.S.S are attracted only when it is found to be totally false, baseless and groundless. It is the applicants-accused to set out that no prima facia case is made out against them. From the facts on record, it is not reflected that the accusations against the applicants-accused are totally false and baseless. Furthermore at the time of considering a bail application, the court is not expected to meticulously examine the evidence or undertake an elaborate scrutiny of the documents as that may prejudice the case of either side. However, a prima-facie view with regard to commission of offence by the accused can be taken. In the light of the directions passed by the Hon'ble Apex Court from time to time, the parameters/factors which are to be considered by the Courts for grant of anticipatory bail are that whether there is any prima-facie or reasonable ground to believe that the accused had committed the offence and nature of the allegations-like severity/gravity/ enormity of the allegations.

7) When, totality of the facts of the present case when taken into consideration coupled with the ratio-decidenti laid down by the constitutional bench of the Hon'ble Apex Court in “Gurbax Singh Sibbia Versus State of Punjab, 1980(2) Supreme Court cases 565” wherein it has been made abundantly clear that while deciding the applications U/s 482 of

B.N.S.S. that the court has to strike the balance between the liberty of the citizens and interest of general public at large. The provisions of Section 482 of B.N.S.S are intended to protect the people from a process which may suggest abuse of law, but certainly not intended to benefit people who have much to explain for his conduct which prima facie is in conflict with law. Hence, the court is of the considered opinion that in order to facilitate a thorough and fair investigation, the custodial interrogation of the accused/applicants is rather inevitable. The investigation is on the offing and there are ascertained facts relating to the occurrence which are within the exclusive knowledge of the accused/applicants and for the said purpose their custodial interrogation is required. Consequently, I find no feature available in this case, which can justify or warrant the invocation of extraordinary equitable discretion under Section 482 of B.N.S.S. Hence, the instant applications for grant of anticipatory bail, being bereft of any substances, are hereby dismissed. Copy of this bail order be attached with the bail application bearing CIS No.BA/1793/2026 titled as Lovepreet Singh alias Lavi Vs. State of Punjab. Police record be returned and bail application files be sent back to the concerned court for consignment purpose.

Pronounced.
Dated :- 12.06.2026.
Sunny Stenographer-II

(Bishan Saroop)
ASJ-cum Duty Officer,
Moga (UID No.PB0449)

State Vs. Shani @ Sandeep Singh BA 1792

Present :- Sh. G.K.Bansal Advocate for accused-applicant
Mrs. Gunwantjit Manesh, Addl. Public Prosecutor for State
assisted by Sh. SPS Kaler, Advocate for complainant

File put up before me being Duty Officer during summer vacations. Today Sh. SPS Kaler, Advocate appeared and filed power of attorney on behalf of the complainant. Record received. Arguments heard. Vide my separate detailed order of even date, present bail application has been dismissed. Copy of this bail order be attached with the bail application bearing CIS No.BA/1793/2026 titled as Lovepreet Singh alias Lavi Vs. State of Punjab. Police record be returned and bail application file be sent back to the concerned court for consignment purpose.

Pronounced.
Dated :- 12.06.2026.
Sunny Stenographer-II

(Bishan Saroop)
ASJ-cum Duty Officer,
Moga (UID No.PB0449)

State Vs. Lovepreet Singh BA 1793

Present :- Sh. G.K.Bansal Advocate for accused-applicant
Mrs. Gunwantjit Manesh, Addl. Public Prosecutor for State
assisted by Sh. SPS Kaler, Advocate for complainant

File put up before me being Duty Officer during summer vacations. Today Sh. SPS Kaler, Advocate appeared and filed power of attorney on behalf of the complainant. Record received. Arguments heard. Vide my separate detailed order of even date passed in bail application titled as Shani alias Sandeep Singh Vs. State of Punjab bearing CIS No.BA/1792/2026, the present bail application stands dismissed. Police record be returned and bail application file be sent back to the concerned court for consignment purpose.

Pronounced.

Dated :- 12.06.2026.

Sunny Stenographer-II

(Bishan Saroop)
ASJ-cum Duty Officer,
Moga (UID No.PB0449)