

**IN THE COURT OF BISHAN SAROOP,
ADDITIONAL SESSIONS JUDGE,
MOGA (UID No.PB00449).**

CNR No.PBMO010045122024

CIS Filing No.BA/1782/2024

Date of order : 04.09.2024.

State

Versus

1. Jagjit Singh alias Sukhu son of Sukhdev Singh resident of village Daulewala, Tehsil Dharamkot, District Moga.
2. Rajwinder Singh alias Raju son of Nachhattar Singh resident of village Kot Mohammad Khan, Tehsil Dharamkot, District Moga.

---Accused-applicants

FIR No.83 dated 08.07.2024,

Under Sections :- 326, 341, 324, 148, 149 IPC (Old),

New U/ss:- 126(2), 118 (1), 191 (3), 190, 118 (2) of BNNS Act,

Police Station :- Kot Ise Khan.

Bail Application under Section 482 of BNSS.

Present :- Shri J.S.Hundal, Advocate for accused-applicants.
Mrs. Gunwantjit Manesh, Additional Public Prosecutor for State
assisted by Sh. David Aggarwal, Advocate for complainant

ORDER

Today ASI Davinderjit Singh has suffered his separate statement that he has brought the record concerning the present bail application. As per record, the accused/applicants have joined the investigation as per the order of the court dated 28.08.2024. Their custodial interrogation is not required. No bail application of the accused/applicants is pending before the Hon'ble High Court.

2. Heard on the present application moved under section 482 of B.N.S.S. It is contended by counsel for the applicants that they have already joined the investigation with police. Thus, the present bail application be allowed.

3. On the other hand, learned Addl.PP for State assisted by the learned counsel for the complainant has contended that in view of the

seriousness of the offence so committed by the applicants, they do not deserve any kind of leniency as such, the bail application be dismissed.

4. After giving my thoughtful consideration to rival submissions and on careful perusal of the averments put in the application, contents of the FIR, statement so got recorded by ASI Davinderjit Singh coupled with the due assistance rendered, the court finds merit in the submissions of learned counsel of the applicants. Also, keeping in view of the observation made by the constitutional bench of Hon'ble Apex court in ratio-deciding **Gurbax Singh Sibia Vs State of Punjab, 1980 (2) Supreme Court cases 565,** the interim bail granted to the applicant vide order dated 28.08.2024 is, hereby confirmed and made absolute subject to compliance of provisions as envisaged under section 482 of B.N.S.S Police record be returned and bail application file be consigned to the record room.

Pronounced.

Dated :- 04.09.2024.

Sunny Stenographer-II

(Bishan Saroop)

**Additional Sessions Judge,
Moga (UID No.PB00449).**

State Vs. Jagjit Singh and others

Present :- Shri J.S.Hundal, Advocate for accused-applicants.
Mrs. Gunwantjit Manesh, Additional Public Prosecutor for State
assisted by Sh. David Aggarwal, Advocate for complainant

Today ASI Davinderjit Singh has suffered his separate statement that he has brought the record concerning the present bail application. As per record, the accused/applicants have joined the investigation as per the order of the court dated 28.08.2024. Their custodial interrogation is not required. No bail application of the accused/applicants is pending before the Hon'ble High Court.

Arguments heard. Vide my separate detailed order of even date, present bail application has been allowed. File be consigned to the Record Room.

Pronounced.
Dated :- 04.09.2024.

Sunny Stenographer-II

(Bishan Saroop)
Additional Sessions Judge,
Moga (UID No.PB00449).