

In the court of Shri Karamjit Singh Sullar
Additional Sessions Judge, Hoshiarpur
UID NO. PB0141

CIS No. BA/1761/2024
CNR No. PBH001005452-2024
Date of order: 25.07.2024

Harwinder Singh aged about 34 years s/o Kulwant Singh resident of Raje Ki Pati Mahima Chak P.S Kotli Surat Malhi District Gurdaspur.

.....Applicant-accused

Versus

State of Punjab

..... Respondent.

FIR No. 09 dated 22.02.2019
U/s 307, 120-B, 34 IPC
and Section 25 of Arms Act
Police Station: Garhdiwala District Hoshiarpur

(FIRST APPLICATION FOR REGULAR BAIL U/S 439 CR.PC)

Present: Shri Pankaj Bedi Advocate, for applicant-accused.
Shri Varinder Kumar Public Prosecutor for the State.

ORDER:

1. This order of mine shall dispose of application filed by the applicant/accused for grant of regular bail in the above noted case.

2. As per the allegations in brief, the present case was registered on the statement of complainant Pardeep Singvh s/o Late Kuldeep Singh resident of Ward No. 10, Garhdiwala District Hoshiarpur, wherein he stated that he is an agriculturist. On 22.02.2019, he along with Ravinder Singh son of Manjit Singh, Sarabjit Singh son of Paramjit Singh, Arshdeep Singh son of Amrik Singh was going to their fields in their white car bearing no. PB-07-BM-7296

Karamjit Singh Sullar,
Additional Sessions Judge
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i20. It was about 03.30 PM and the car was being driven by Ravinder Singh. In the meantime, three youths aged about 25/30 years came out from the sugarcane field and all of them were armed with pistols. They had fired shots upon their car with intention to kill them. Then, in order to save himself, his cousin Arshdeep Singh had also fired in the air from his gun and thereafter, all the above said persons fled away from the site of occurrence after leaving their motorcycle make Pulsor bearing registration no. PB10-DB-6447 there. He can identify the above said persons if they produced before him. The applicant-accuse was arrested in this case. Hence, this application for regular bail.

3. The learned counsel for applicant-accused argued that the applicant-accused is innocent person and he is falsely implicated in the present case. The applicant-accused is in custody since October 2020 and nothing is to be recovered from him. The challan has already been presented in the Court and conclusion of trial shall take sufficient long time and no useful purpose would be served by keeping the accused behind the bars. So, it is prayed that applicant-accused be released on bail.

4. On the other hand, the Ld. Public Prosecutor for the State opposed the bail application on the ground that the applicant-accused along-with his co-accused had fired shorts from their revolver upon the car of complainant with intention to kill them. So, in view of the gravity of offence the applicant-accused is not entitled to be released on bail.

5. I have heard the learned counsel for the applicant-accused as well as the Learned Public Prosecutor for the State and perused the record carefully.

6. As per allegations in the FIR, no specific role or injury has been attributed to the applicant-accused Harwinder Singh. The veracity of the allegations would be adjudged during the trial. More so, the applicant-accused is in custody since 5.10.2020 and nothing is to be recovered from him. The challan has already been presented in the Court. The conclusion of trial shall take sufficient long time and no useful purpose would be served by keeping the accused behind the bars. Moreover, co-accused Jagmeet Singh @ Jaggi has already been granted regular bail by the Court of Dr. Gopal Arora, the then Ld. Addl. Sessions Judge, Hoshiarpur vide order dated 27.04.2021. So, in these circumstances, the present bail application is allowed and the applicant-accused Harwinder Singh is ordered to be released on regular bail on his furnishing bail bonds to the tune of Rs. 50,000/- with one surety of the like amount, to the satisfaction of learned Illaqa/Duty Magistrate, subject to the conditions that the applicant-accused shall appear in the trial Court on each and every date of hearing, he shall not induce or threat the prosecution witnesses and shall not leave the country without prior permission of the trial Court.

7. The observations made by this Court while deciding this bail application are only for the limited purpose of adjudication of the present bail application and, as such, are not to be construed as an expression on the merits of the case (criminal trial). File of bail application be attached with the main case.

Announced in open Court:
Dated: 25.07.2024

**(Karamjit Singh Sullar),
Additional Sessions Judge,
Hoshiarpur (UID No.PB0141).**

Kulvinder Singh JW

Karamjit Singh Sullar,
Additional Sessions Judge
Hoshiarpur/UID PB0141