

State Vs. Varinder Singh etc

IN THE COURT OF MS. TANVI GUPTA, PCS,
JUDICIAL MAGISTRATE IST CLASS, SUNAM.
(Unique Identification No. PB0613)

Challan Filing No.66 of 8/1/2025

CNR No.PBSGA1-000066-2025

Registration No.CHI/11/2025

Date of Order: 16/1/2025

State

Versus

- 1.Varinder Singh son of Gurnam Singh, resident of Burar,PS Sadar Patran, District Patiala.
- 2.Sukhwant Singh @ Sukhdev Singh @ Sukha son of Shingara Singh, resident of Chhabilpur, District Patiala.

FIR No.193 dated 10/11/2024

Under Sections 109,125,351,324(4), 61(2), 3(5) of BNS and
Section 25-27/54/59 of Arms Act,
PS Dirba.

Present: Shri Lohit Goyal, APP for the State.
Accused Varinder Singh and Sukhwant Singh in custody
represented by Shri HS Sidhu, Advocate

ORDER:

1. Accused have been sent up to face trial for having committed offences punishable under Sections 109,125,351,324(4), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as 'BNS' for brevity) and Section 25-27/54/59 of Arms Act, by the SHO, Police Station Dirba.
2. Brief facts, as per the prosecution version, are that the present case was registered on the statement of complainant Karamjit Singh @ Karma son of Shera Singh, resident of village Shadihari, PS Dirba, District Sangrur who stated before the police that he is an agriculturalist. His

residential house is constructed in his fields in which he resides with his family. The passage/pahi from the road from front side comes to his house. On 9/11/2024, he alongwith his family, was sleeping after taking meal. On 10/11/2024 he woke up at about 1:15 AM to urinate. His younger brother Hardeep Singh son of Shera Singh also woke up with him and they both came to the corridor of the house. He went to the roof of his house. He saw from the roof that a car stopped near main gate of his house and one unknown person came out from conductor seat of car. One more unknown person came out from the back seat (conductor side) of car. The driver of the car remained in the car and kept the car started. Then the person who came out from conductor seat fired two shots from a pistol/revolver towards the main gate of his house. After firing, the unknown persons fled away from the spot with their respective weapons. He can identified those persons if they come before him. There were lights and CCTV camera on main gate of his house. The son of his uncle namely Harmeet Singh checked the video of CCTV Camera and he can produce the video in the pen drive. Upon pondering, he came to know that on 9/11/2024 one unknown person came on car bearing no.DL-4-CNB-7665 make Scorpio of white colour to his brother Hardeep Singh for purchase of buffalo and his brother told him that Karam Singh has no buffalo. After the death of his brother Major Singh, his wife Swaranjit Kaur married to him. A daughter namely Rupinder Kaur and a son Jashanpreet Singh were born from the wedlock of Major Singh and Swaranjit Kaur. His niece Rupinder Kaur resides in America and is married

to Navdeep Singh son of Randeep Singh, resident of Arjanwala near Adampur, District Jalandhar. The entire in-laws family of Rupinder Kaur is residing in America. The father of Navdeep Singh namely Randeep Singh was calling him and his relatives regarding the money and he leveled allegations against him and his niece that his son Navdeep Singh resides far from him due to Rupinder Kaur. After admitting the statement to be correct, the complainant put his left thumb impression and on its basis, FIR was registered against the accused. The investigation was commenced. Offences under Sections 109, 324(4) and 61(2) of BNS were added. Accused Varinder Singh and Sukhwant Singh were arrested. Accused Gurpreet Singh was released on bail in compliance of order of Hon'ble Punjab & Haryana High Court, Chandigarh and more evidence is required for presenting the challan against the accused Gurpreet Singh. After collecting more evidence, supplementary challan against the accused Gurpreet Singh will be presented in the Court. Arrest of accused Sandeep Singh @ Sony and Saranpreet Kaur is yet to be effected. There are international transactions in the bank account of accused Saranpreet Kaur, the details of which is yet to be obtained. After obtaining the said details, accused Sandeep Singh @ Sony and Saranpreet Kaur will be arrested and their supplementary challan will be presented in the Court. Statements of the witnesses were recorded. Site plan was prepared. After completion of the necessary formalities, challan was presented in the Court against the accused.

3. On presentation of challan, copies of challan and other

documents as required under Section 230 of Bharatiya Nagrik Suraksha Sanhita, 2023 (hereinafter referred to as 'BNSS' for brevity), were supplied to accused Varinder Singh and Sukhwant Singh, free of costs.

4. I have heard the submissions of learned APP for the State and counsel for accused and have gone through the case file. From the scrutiny of the papers, it appears that the challan against the accused has been presented under Sections 109,125,351,324(4), 61(2), 3(5) of the BNS.

5. The offences punishable under Sections 109 of BNS are exclusively triable by the Court of Sessions. Hence, this case is ordered to be committed to the Court of Learned Sessions Judge, Sangrur for 30/1/2025. The accused are directed to be produced before the said Court on dated fixed at 10.00 AM sharp. Public Prosecutor be notified regarding the commitment of the present case to the Court of Learned Sessions Judge, Sangrur. Ahlmad is directed to send the case file, complete in all respects, to the Court of Learned Sessions Judge, Sangrur well before the date fixed.

Pronounced in open Court.

Dated: 16/1/2025

Shavinder Kumar, Stenographer Gr.-II

Tanvi Gupta, PCS,
Judicial Magistrate Ist Class,
Sunam.
(UID No.PB0613)

Present: Shri Lohit Goyal, APP for the State.
Accused Varinder Singh and Sukhwant Singh in custody
represented by Shri HS Sidhu, Advocate

Copies of challan and other documents as required under
Section 230 of Bharatiya Nagrik Suraksha Sanhita, 2023 (hereinafter referred to
as 'BNSS' for brevity), were supplied to accused, free of costs

Heard. From the perusal of file, prima facie it appears that
offences punishable under Sections 109 of BNS are exclusively triable by the Court
of Sessions. Hence, this case is ordered to be committed to the Court of Learned
Sessions Judge, Sangrur for 30/1/2025. The accused are directed to be produced
before the said Court on dated fixed at 10.00 AM sharp. Public Prosecutor be
notified regarding the commitment of the present case to the Court of Learned
Sessions Judge, Sangrur. Ahlmad is directed to send the case file, complete in all
respects, to the Court of Learned Sessions Judge, Sangrur well before the date
fixed.

Pronounced in open Court.

Dated: 17/12/2024

Shavinder Kumar, Stenographer Gr.-II

Tanvi Gupta, PCS,
Judicial Magistrate Ist Class,
Sunam.
(UID No.PB0613)