

FIR no. 195/24.06.2020

U/S 307, 506, 148, 149 IPC and 25-27-54-59 Arms Act

PS Verowal, Tarn Taran.

Present : Mr.Nishan Singh Adv counsel for the accused-applicant
through Video conference.

Sh Amarpal Singh Addl. PP for the State assisted by Sh.
G.S Sahota, Adv counsel for the complainant through
Video conference.

File taken put up before me being Duty Judge. Today, ASI Gurdial Singh has made a statement to the effect that applicant/accused Hira Singh and Amrit Singh have joined the investigation on 31.07.2020 as per order passed by this court and applicants are not required for custodial interrogation.

Heard on the present application moved under section 438 Cr.PC. It is contended by counsel for the applicants that nothing is to be recovered from the applicants as they have already joined the investigation with police. Thus, the present bail application be allowed.

On the other hand, learned state's counsel has contended that in view of the seriousness of the offence so committed by the applicants, they does not deserve any kind of leniency as such, the bail application be dismissed.

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 Gurdial Singh, coupled with the due assistance rendered, the court finds merit in the submissions of learned counsel of the applicant. Also, keeping in view of the observation made by the constitutional bench of Hon'ble Apex court in ratio-decidenti **Gurbax Singh Sibbia Vs State of Punjab, 1980 (2) Supreme Court cases 565**, the interim bail granted to the applicant vide order dated 25.07.2020 is, hereby confirmed and made absolute subject to compliance of provisions as envisaged under section 438 Cr.PC. Papers be consigned to the record room.

Announced
13.08.2020

Aman Dhiman
Stenographer Gr.III

(Bishan Saroop)
Addl. Sessions Judge
Tarn Taran (Duty)