

**In the Court of Sh.Rakesh Kumar Sharma
Sessions Judge, Tarn Taran.
(UID No.PB0133)**

**CIS No. BA 2337 of 2024
Decided on: 26.09.2024**

Lovepreet Singh @ Jondiar son of Dhanvir Singh @ Dhanbir Singh
resident of village Harike, police station Harike, Tehsil Patti, District Tarn
Taran.

.....Applicant

Versus

State of Punjab

.....Respondent

**FIR no. 41 dated 23.06.2024
Under section: 307, 506, 34 IPC and 25/27/54/59 of
Arms Act.
Police Station: Chohla Sahib.**

**Regular bail application under section 483 of BNSS for
grant of regular bail.**

Present: - Sh. M.S. Thukral, Adv. counsel for applicant.
Sh. Ashok Kumar, learned APP for State

ORDER

SI Jassa Singh has brought the police record.

2. This order of mine shall disposed of application for regular bail filed on behalf of applicant Lovepreet Singh @ Jondiar on the grounds that he is innocent and has been falsely implicated in the present case. He is not named in the FIR. Earlier the FIR was registered against Kawalpreet Singh and Partap Singh but later on the name of the present applicant was added. It is a case of version and cross version. In fact the complainant of the FIR attacked on the applicant and others regarding which DDR no.18 dated 24.06.2024 under section 307, 506, 34 of IPC and 25/27 of Arms Act was registered in the same FIR. The applicant/accused has allegedly criminally intimidated the complainant at the spot and neither any injury nor any overact

has been attributed to the present applicant. Nothing incriminatory has been recovered from the possession of the present applicant. He is in judicial custody since more than one month and no more required for further investigation. The conclusion of trial is likely to take some time. No useful purpose will be served by further detention of the present applicant. As such, he be released on regular bail.

3. The brief facts of the case are that present FIR has been registered at the instance of Simranjit Singh son of Charanjit Singh to the effect that he is the resident of village Bhaini Massa Singh of police station Kharla, District Tarn Taran. He and Om Parkash Swami son of Rashpal Swami resident of Rajasthan were doing the business of mining by taking bid of the government cluster. On 23.06.2024 at about 2:00 P.M. Om Parkash Swami received a telephone call from one Partap Singh that he wants to meet him regarding the sand mining. Upon which, Om Parkash Swami has asked him to meet them in Jalsa restaurant Marhana and after some time two young persons came in Jalsa restaurant, Marhana and one of them disclosed his name as Partap Singh and asked the complainant party that why they are not solving the dispute with Kamalpreet Singh. Upon which the complainant party told that they have no any dispute with Kamalpreet Singh. Thereafter, they came out from the Jalsa restaurant, Marhana after taking tea. After some time Kamalpreet Singh son of Gurdial Singh resident of village Rasulpur of police station Sadar, Tarn Taran along with one unidentified person came outside the cafe of Jalsa restaurant and on seeing the complainant, Kamalpreet Singh called him with bad names and started threatening them to kill and took out his pistol from the dub but the complainant has pushed him and he fell down on the

ground and they scuffled with each other. The pistol of Kawalpreet Singh fell down on the ground and other three persons ran away towards the car i-20. Kawalpreet Singh also run behind them and one unknown person who wear red T shirt took out the 315 bore rifle from the car and fired gun shots straightway towards the complainant party with intention to kill them. In order to save themselves, the complainant party hidden themselves in the washrooms situated backside of the Jalsa restaurant. Thereafter, in defence, the complainant party also fired pistol shots with licensed pistol 45 bore and proceeded towards the Jalsa restaurant. Thereafter, some time Kawalpreet Singh came out from the said restaurant and picked up the pistol from the ground and went towards Tarn Taran in his car i-20 along with four other persons. The complainant party also went towards Harike side in their car. Cross version also registered in the present case.

4. Learned counsel for the applicant has contended that the applicant is innocent and it is a case of no injury. It is further submitted that the dispute is only of running the mining. It is a version and cross version. Other accused have been granted bail by the Hon'ble Punjab and Haryana High Court. He is in judicial custody since more than one month and no more required for further investigation. The conclusion of trial is likely to take some time. No useful purpose will be served by further detention of the present applicant. As such, he be released on regular bail.

5. On the other hand, learned APP for the State has strongly opposed the regular bail application of applicant on the grounds that the allegations are serious. The offence has been committed in a broad day light and property of restaurant was also damaged and incriminating firing was done. Further more, it is a case where this court has already dismissed

the bail applications of Partap Singh and Kamalpreet Singh @ Kawalpreet Singh. Therefore, his regular bail application may kindly be dismissed.

6. After having heard learned counsel for the applicant and learned APP for the State, this court is of the opinion that the offence has been committed in a broad day light. It is case where uncalled for any reason present applicant along with other accused went to outside of the restaurant and took out pistol and started indiscriminating firing towards the restaurant which is a public place which may caused hurt or death of any one sitting inside the restaurant. Further more, it is a case where this court has already dismissed the bail applications of Partap Singh and Kamalpreet Singh @ Kawalpreet Singh. The allegations are serious. Therefore, I find no merit in the present regular bail application and the same stands dismissed. File be consigned to the record room.

Pronounced
26.09.2024

Rajinder Kumar JW

(Rakesh Kumar Sharma)
Addl. Sessions Judge Tarn Taran.
(UID No.PB0133)