

In the Court of Sh.Gurmeet Tiwana, Addl.Sessions Judge, Kapurthala
(UID No. PB-0249).

CNR No. PBKP010040922025



Case No. BA/1691/2025

Presented on : 15-07-2025
Registered on : 16-07-2025
Decided on : --

1. Gurwinder Singh @ Jaswinder Singh @ Ganu aged about 34 years son of Piyara Lal, resident of Bilpur, Subhanpur, Nadala, Tehsil and District Kapurthala, Aadhar Card No.8876-7248-9087.
2. Rahul @ Kaka Shooter aged about 20 years son of Ramesh Chander, VPO Nadala, Tehsil and District Kapurthala, Aadhar Card No.4875-4630-6417.

.... Accused/applicants

Versus

State of Punjab.

..... Respondent.

FIR No.48 dated 25.03.2025
U/Ss 115 (2), 118 (1), 351 (2),351
(3),303 (2)/191 (3), 190 BNS later
on added 117 (2) and 118 (2) BNS.
PS Subhanpur, Kapurthala.
G.D. No.26 dated 07.05.2025 in cross
case, P.S. Subhanpur, Distt. Kapurthal.

Application for bail under Section 483 BNSS.

Present: Sh.K.S.Jaura, Advocate for the applicants/accused.
Sh.APS Dhillon, Additional Public Prosecutor for State.

O R D E R

Present bail application is filed by the accused-applicants
Gurwinder Singh @ Jaswinder Singh @ Ganu and Rahul @ Kaka Shooter
under Section 483 BNSS.

2. Notice of the bail application was given to the State. No reply was filed.

3. I have heard learned counsel for the accused/applicants and learned Additional Public Prosecutor for the State and have gone through the record with their able assistance.

4. Learned counsel for the accused/applicants has argued that the accused-applicants have not committed any offence. They are falsely implicated in the case. They have been in custody since 07.05.2025. As per version of the complainant, the occurrence had taken place on 09.03.2025. As per police DDR, he was conscious on 09.03.2025 but he stated that he will get the statement recorded after consultation with the family. Then, FIR was registered on 25.03.2025. There is delay of 6 days, which shows that the version put forth by the complainant is not correct. Names of the accused-applicants are not stated correctly in the FIR. He is stating that Jaswinder Singh @ Gannu was armed with '*dattar*' (machete) and gave a blow of '*dattar*' (machete) on his left bicep. In his further statement, he states that Jaswinder Singh @ Gannu gave blow of Kirpan in the middle of his left hand. This shows concoction as he is not clear with which weapon Jaswinder Singh @ Gannu was armed. In facts, names of the person is Gurwinder Singh and not Jaswinder Singh. Similarly allegations against the accused-applicant no.2 Rahul @ Kaka Shooter are also vague. The other co-accused namely Ruby and Lovepreet Singh have been granted bail by this Court. Investigation may take time. Accused-applicants be released on bail.

5. On the other hand, learned Additional Public Prosecutor opposed the bail application and has argued that Baljinder Singh had got

recorded his statement that he had some dispute with Kulwinder Singh @ Jaswinder Singh @ Gunnu. On 19.03.2025 at 6:50 pm, he alongwith his servant Manav was present in their shop. When Jaswinder Singh, Gori Cheema, Rahul, brother in law of Gannu, Vaishiali and 3-4 unknown persons came. Gannu had exhorted that he be taught a lesson for disputing with him. Jeevan resident of village Takhia armed with Dattar, Vaishali and Gurwinder Singh armed with Kirpan, Rahul Shooter armed with Dattar, Gori Cheema armed with Dattar gave blows with their weapons and unknown persons gave blow of hatchet and cudgels. Number of injuries were inflicted to him. He could not tell which injuries were given by which person. In the MLR, 14 injuries were inflicted out of which 9 injuries are sharp injuries. There was fracture of left wrist. He was operated at SGL Superspeciality Charitable Hospital, and was discharged on 04.04.2025. Accused-applicants are not entitled to bail.

6. After hearing rival contentions, I have perused the file as well as available medical record. 14 injuries are shown to the person of complainant. Two injuries are attributed to the accused Gurwinder Singh @ Jaswinder Singh @ Gannu. Both the injuries are incised wounds, although, there is discrepancy regarding the weapon held by him. Injury on the hand is declared as grievous. Rahul @ Kaka Shooter is also named in the FIR and there is specific attribution and that he was holding a *dattar*' (machete) and caused injury on the left shoulder. There is corresponding injury in the MLR. It is incised wound, although it is declared as simple injury. Active role of both the accused-applicants is

evident from the statement of complainant as well as corroborated by the medical evidence. The applicants are not denying their presence at the spot because even DDR No.26 of 07.05.2025 is lodged on the statement of Rahul @ Kaka Shooter. Two superficial injuries are shown in the MLR of Gurwinder Singh and three injuries are shown on the person of Rahul @ Kaka Shooter. Thus, their presence on the date of occurrence cannot be disputed by them. There are specific allegations regarding inflicting of injuries by them. As many as 14 injuries are inflicted to the complainant and out of said injuries, 9 injuries are sharp. One injury is grievous. Investigation is still in progress. Accused-applicants may influence the investigation or influence the witnesses. Allegations are very serious. Accused-applicants are not entitled to bail. Therefore, present bail application is dismissed. File be consigned to the Judicial Record Room, Kapurthala.

Pronounced in open Court.
Dated:30.07.2025.

Mohinder Kumar

(Gurmeet Tiwana)
Additional Sessions Judge,
Kapurthala (UID No. PB-0249).