

In the Court of Sh. Jaspal Verma,
Additional Sessions Judge, Kapurthala (UID No.PB0136)

CNR No. PBKP010029712020



Case No. BA/1417/2020

Presented on : 21-07-2020

Registered on : 21-07-2020

Decided on : 04-08-2020

FIR No.16 dated 06.05.2019
Under Sections 379, 447, 188 IPC and section 13-A of Punjab
Village Common Lands Regulation Act, 1961
Police Station Kabirpur, District Kapurthala.

State	Versus	1. Lakhwinder Singh aged about 47 years son of Surjan Singh. 2. Rassal Singh aged about 55 years son of Makhan Singh, both residents of village Ahli Kalan, PS Kabirpur, District Kapurthala. Accused/applicant.
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Bail application under Section 438 CrPC.

Present: Sh. B.S. Momi, Advocate, counsel for applicants-accused through video conference.
Sh. Shailender Gill, Addl.P.P. for the respondent/State through video conference.

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ORDER

1. This order of mine shall dispose of anticipatory bail application moved by applicants/accused Lakhwinder Singh and Rassal Singh in this case, bearing FIR No.16 dated 06.05.2019, under Sections 379, 447, 188 IPC and section 13-A of Punjab Village Common Lands Regulation Act, 1961, Police Station Kabirpur,

District Kapurthala, wherein it is submitted that the police of P.S. Kabirpur has registered a false case against the applicants/accused and 42 other persons. As per the version of FIR, no offence is made out against the applicants/accused. The bail application under Section 438 CrPC of the co-accused was allowed by the court vide order dated 14.01.2020. They are ready to join the investigation. Now, the police is raiding their house and they apprehend their arrest in the present case at the hands of police. So, they be released on anticipatory bail.

2. Notice of the bail application was given to the State who appeared through video conference. No reply to the bail application was filed. However, APP for the State orally contested the bail application.

3. I have heard learned counsel for the applicant/accused, learned Addl. PP for the State through video conference and perused the police record carefully.

4. The present application has been filed by the applicants Lakhwinder Singh and Rassal Singh as per the provisions under Section 438 Cr.PC to release them on anticipatory bail. Vide order dated 29.07.2020 passed by this court, the applicants/accused were directed to appear before the IO/SHO to join the investigation within 03 days and co-operate with the police. On their doing so, they be not arrested. Accordingly, in compliance to the order dated 29.07.2020 passed by this court, the applicants/accused Lakhwinder Singh and

Rassal Singh have appeared before IO/SHO and joined the investigation. Today, Sh. Shailender Gill, learned Additional Public Prosecutor for State appeared through video conference and made statement that as intimation received from ASI Darshan Singh No.1103/Kpt. P.S. Kabirpur, District Kapurthala, the applicants-accused Lakhwinder Singh and Rassal Singh have joined the investigation with the police on 31.07.2020 in compliance of the order dated 29.07.2020 and they are not required for further interrogation. As the applicants/accused Lakhwinder Singh and Rassal Singh have complied with the abovesaid order of this court, so the order dated 29.07.2020 passed by this court is made absolute and the bail application filed on behalf of applicants/accused Lakhwinder Singh and Rassal Singh is hereby allowed subject to compliance of the provisions of section 438(2) Cr.P.C. File be consigned to the record room.

Pronounced in the open Court
Dated: 04.08.2020
(Arun)

(Jaspal Verma)
Addl. Sessions Judge,
Kapurthala (UID No.PB0136)

Lakhwinder Singh etc. Vs. State of Punjab

CNR No.PBKP010029712020

Bail application No.1417-2020

Present: Sh. B.S. Momi, Advocate, counsel for applicants-accused through video conference.
Sh. Shailender Gill, Addl.P.P. for the respondent/State through video conference.

Arguments heard. Vide my separate detailed order of even date, the present bail application filed on behalf of applicant/accused Lakhwinder Singh and Rassal Singh has been allowed. File be consigned to the record room.

Pronounced in the open Court
Dated: 04.08.2020
(Arun)

(Jaspal Verma)
Addl. Sessions Judge,
Kapurthala (UID No.PB0136)