

**In the Court of Anantdeep Singh,
Judicial Magistrate 1st Class, Sunam (UID: PB0843)**

CNR:PBSGA1000624-2026

CHI/120/2026

Date of Order: 08.04.2026

State

Versus

**Harjinder Singh son of Bhagwan Singh resident of Village Mehlan,
Tehsil Sunam, District Sangrur.**

.....Accused.

FIR. No.145 dated : 04.11.2025

Under section 223 BNS,

Police Station, Chhajli.

**Present: Sh. Deepak Garg, Ld. APP for the State,
Accused on bail with counsel Sh. T.S.Bhangu, Advocate.**

JUDGMENT

1. The above-named accused has been sent to face trial for the offence punishable under section 223 of BNS, by the Officer in-charge of Police station, Chhajli.
2. In brief, the case of the prosecution is that on 04.11.2025 ASI Des Raj alongwith police party was present at police station where he received one letter bearing No.1195/5A/PS in which it was mentioned that on 03.11.2025 some body has set on fire to paddy straw at village Mehlan and has disobeyed the order bearing No.134/MA dated 15.09.2025 passed by the District Magistrate Sangrur. He scribed a ruqa and send the same to the police station for registration of the F.I.R on the basis of which the present F.I.R was registered. Thereafter he along with police party reached at the spot where there

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- was stubble burning in the field. During investigation, rough site plan was prepared. Accused was arrested. Statements of the witnesses were recorded. After completion of investigation and necessary formalities, the accused was challaned under Section 223 of BNS to face trial.
3. On the presentation of challan copy of report under section 193 BNSS and documents were supplied to the accused free of cost as provided under section 230 BNSS.
 4. After hearing ld. A.P.P. for State and Counsel for accused as the prima-facie case made out against the accused under section 223 of BNS, a charge under the said section was framed against the accused to which he pleaded not guilty and claimed trial.
 5. In order to prove its case, prosecution has examined ASI Des Raj Investigating officer as PW 1 and HC Jagdeep Singh as PW2. Thereafter learned APP for the state closed the evidence on behalf of state.
 6. Statement of the accused under Section 351 BNSS was recorded on which accused denied all the allegations and evidence produced on record against him. Accused did not lead any evidence in his defence and closed his evidence.
 7. I have heard learned APP for the State and learned defence counsel and have gone through the case file carefully.
 8. Learned APP for the State argued that after examining PW1 ASI Des Raj and PW 2 HC Jagdeep Singh the prosecution has fully proved

on record beyond reasonable doubts that the accused has committed the alleged offence. Therefore, accused is liable to be convicted for the offence for which he has been charged.

9. On the other hand, the learned counsel for the accused has submitted that the accused is innocent and has been falsely implicated in the present case. He has been falsely implicated in the present case. Moreover, the prosecution has miserably failed to establish its case against the accused. Lastly, the learned defence counsel submitted that the accused is entitled to acquittal.

10. In view of the prosecution case and arguments of learned APP for the state and submissions of counsel for the accused, following points arise for determination for decision of the present case : -

1. Whether the accused disobeyed the orders passed by DM, Sangrur?

11. I have given my thoughtful consideration to the rival contentions of both the counsels. My point wise findings are as under;

12. PW 1 ASI Des Raj deposed that on 04.11.2025 he was posted at P.S. Chhajli. On that day he received a letter bearing No.1195/5A/PS is Ex.P1 that some body has set fire in his land at village Mehlan Latitude 30.176325 Longitude 75.922466 and he has disobeyed the order passed by the then District Magistrate Sangrur. He scribed ruqa Ex. P2 and send the same through Officer Incharge PHG Manjit Singh for registration the FIR Ex. P3, endorsement is Ex.P4. Thereafter, he went to the place of occurrence and prepared rough site plan which is Ex. P5.

13. PW2 HC Jagdeep Singh has deposed that he arrested the accused Harjinder Singh vide arrest-cum-intimation memo-cum personal search memo Ex.P6. He proved the copy of complaint under Section 215 BNSS and the same is EX. P8 and the copy of order no. 134/MA dated 15.09.2025 is Ex. P7. He identified the accused present in the court.
14. By examining PW1 ASI Des Raj Investigating Officer and PW2 HC Jagdeep Singh the prosecution has duly proved that on 03.11.2025 the accused was indulged in the stubble burning. Prosecution has duly proved that order number 134/MA dated 15/09/2025 was passed by DM, Sangrur regarding non-burning of paddy straw. It is further proved the accused has violated the above said order by setting fire to the paddy straw. Prosecution has further proved the complaint under section 215 of BNSS. Therefore, this court is of the considered view that the accused has violated the orders passed by the DM.
15. On the basis of above discussion and in view of my decision on points for determination, this court is of the confirmed opinion that the prosecution has successfully proved the charge against accused Harjinder Singh under section 223 of BNS. Accordingly, the accused is convicted for the above said offence. Let, accused be heard on the quantum of sentence.

**Pronounced in open court:-
08.04.2026**

**Anantdeep Singh
Judicial Magistrate 1st Class
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QUANTUM OF SENTENCE:

Present: APP for the State,
Convict in custody with Counsel

After recording conviction of the accused, I have heard the convict on the quantum of sentence. The convict stated that he has already suffered a lot of financial loss and mental agony as he is facing trial for the last many years. He prayed for taking a lenient view on the quantum of sentence. A.P.P. for the State opposed this plea.

After considering the rival pleas and keeping in view the totality of facts and circumstances of the case, nature of the offence and conduct of the accused, although it is not a case in which the accused should be released on probation but he is certainly entitled to some leniency in sentence. Hence, the accused is sentenced as under;

Under Section 223 BNS: Fine of Rs. 200

In default of payment of fine, to undergo simple imprisonment for one month.

Fine Paid.

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Seema Stenographer-II
Direct Dictation