

IN THE COURT OF JASPINDER SINGH,
ADDITIONAL SESSIONS JUDGE, PATIALA
(UID No.PB00148)

Bail Application No. : 1562/2022

CNR Number : PBPT01-005004-2022

Date of Institution : 27.5.2022

Date of Order : 2.6.2022

1. Baljit Singh son of Sukhwinder Singh
2. Harjit Singh son of Sukhwinder Singh
3. Sukhwinder Singh son of Puran Singh, all residents of Village Shankerpur, P.S Sadar, Tehsil and District Patiala.

.....Accused/Applicants

Versus

State of Punjab

.....Respondent

FIR Number: 79 dated 18.5.2022

*Under Sections: 307/341/323/148/149 IPC
and U/s 25 Arms Act*

Police Station : Sadar, Patiala.

Present: Sh.H.S.Sakrali, Adv.Counsel for applicants
Sh.Gaurav Diwan, Addl.PP for the State assisted by Sh.K.S.
Nagra, Adv.Counsel for complainant

ORDER:

1. File put up before me being Duty Judge as learned Presiding Officer is availing joining time. This order of mine shall dispose of Ist bail

application U/s 438 Cr.P.C filed on behalf of accused/applicants for grant of anticipatory bail.

2. The applicants/accused have filed the present bail application with the averments that applicants/accused are innocent persons and have committed no offence. It is further averred that applicants are ready and willing to join the investigation as and when directed by this court. Thus, applicants/accused has prayed for grant of anticipatory bail.

3. Upon notice issued to State, learned Addl.PP for the State appeared and SI Gursewak Singh has also come present and produced police record.

4. I have heard learned Counsel for applicants/accused and learned Addl.PP for the State assisted by learned Counsel for the complainant and gone through the file very carefully.

5. Perusal of file shows that FIR was registered against 7 persons by name and 4/5 unknown persons on the statement of Hardev Singh son of Mohinder Singh, wherein, he has stated that he has two children. Elder is daughter Simranjot Kaur and younger to her is son Jagmit Singh, who is 10th pass and is doing agricultural work with him. About one year ago, his son Jagmit Singh has performed love marriage with Kushaldeep Kaur d/o Gurpreet Singh of their village. After the marriage, they stayed in Haryana for about six months. About 5/6 months ago, with the consent of both the families, his son Jagmit Singh and daughter-in-law Kushaldeep Kaur started living with him at his house at village Mohabatpur. It is further

alleged that Gurpreet Singh, father of his daughter-in-law, his friends Amarjit Singh and Gurmit Singh @ Goldy were not happy with the marriage and they were annoyed with his son Jagmit Singh. Harjit Singh, Baljit Singh and Sukhwinder Singh were also helping Gurpreet Singh etc. On 18.5.2022, he alongwith his son Jagmit Singh went to village Shankarpur to attend 'Diwan' of Baba Kashmira Singh. When they were taking Langer at Diwan, then, Amarjit Singh, Gurpreet Singh and Gurmit Singh came there and threatened his son Jagmit Singh. The complainant further alleged that at about 9.00 PM, he and his son Jagmit Singh went to shop for taking cold drink. When they reached near the shop, they found that Amarjit Singh, Gurpreet Singh, Gurmit Singh @ Goldy, Baljit Singh, Harjit Singh, Sukhwinder Singh and Shubdeep Singh alongwith 4/5 unknown persons were standing there. They encircled his son Jagmit Singh and started beating him by giving fist blows. Amarjit Singh took out pistol from dub and fired at left thigh of his son, due to which, his son Jagmit Singh fell down on the ground. On hearing noise, many people gathered at the spot. Then all the assailants alongwith their weapons fled away from the spot. He took his son Jagmit Singh to Rajindera Hospital, Patiala, from where, he was referred to PGI, Chandigarh, but he got admitted his son Jagmit Singh to Amar Hospital, Patiala, where, he is under treatment. On these allegations, FIR was registered. Learned Counsel for applicants has submitted that applicants have been falsely implicated in the present case. No role is attributed to the applicants. Perusal of police file reveals that FIR

was registered for causing injuries to Jagmit Singh, who has performed love marriage with Kushaldeep Kaur against wishes of parents of Kushaldeep Kaur. They remained outside the village. Subsequently, with the consent of family of Kushaldeep Kaur, Jagmit Singh and Kushaldeep Kaur were brought to village. On 18.5.2022, accused persons including present applicants, in order to commit murder of Jagmit Singh, when he was attending 'Diwan' of Baba Kashmira Singh, caused injuries to him. Amarjit Singh, one of the accused fired by taking out pistol from the dub, hitting thigh of Jagmit Singh, son of complainant, who fell down. As Diwan was going on, people gathered there and accused ran away from the spot. So, there are specific allegations that injuries have been caused to kill Jagmit Singh as he has performed marriage with Kushaldeep Kaur d/o accused Gurpreet Singh and other accused are companions of Gurpreet Singh. As per police file, this is not only case against accused Gurmit Singh @ Goldy as other six cases are registered against him, which included cases U/s 302 IPC and under NDPS Act, detail of which is as under:

1. FIR no.588 dated 5.10.2006, U/s 302 IPC, PS Sadar, Patiala.
2. FIR no.82 dated 28.4.2017, U/s 15 NDPS Act and 61 Excise Act, P.S Sadar, Patiala.
3. FIR nno.62 dated 6.8.2016, U/s 61 Excise Act, P.S Kheri Gandian, Patiala.
4. FIR no.266 dated 17.8.2016, U/s 61 of Excise Act, P.S Tripuri, Patiala.
5. FIR no.27 dated 10.3.2018, U/s 61 of Excise Act, P.S Doraha, Khanna.

6. FIR no.184 dated 15.12.2019, U/ss 352/506/342/354 IPC, 25/27 Arms Act, P.S Urban Estate, Patiala.

Against accused Amarjit Singh, following three cases have been registered:

1. FIR no.161 dated 29.6.2021, U/ss 324/341/506/148/149 IPC, PS Sadar, Patiala.

2. FIR no.285 dated 18.11.2012, U/ss 324/326/323/506/148/149 IPC, PS City Rajpura.

3. FIR no.67 dated 12.9.2015, U/ss 457/323/148/149 IPC, PS Kheri Gandian, Patiala.

In FIR no.161, alongwith Amarjit Singh, Baljit Singh and Gurpreet Singh are also co-accused. In FIR no.67, Gurpreet Singh, Harjit Singh and Sukhwinder Singh are co-accused with Amarjit Singh. Meaning thereby, they are actively helping each other and committing crime in connivance with each other. By attacking Jagmit Singh, who has married with daughter of accused Gurpreet Singh, they tried to kill Jagmit Singh under 'Honour Killing', though, they could not succeed as people gathered there. Fire arm injury has been caused to Jagmit Singh. So, in my opinion, applicants are not entitled to concession of anticipatory bail. Hence, present bail application is dismissed. Police record be returned forthwith. The bail application file be sent back to the court concerned for consignment purpose.

Announced.
2.6.2022
(Rakesh Jain),
Stenographer Gr.II

(Jaspinder Singh),
Addl.Sessions Judge (Duty),
Patiala. (UID No.PB00148)