

**In the court of Sh. Parminder Singh Rai, Addl.
Sessions Judge, Tarn Taran (Vacation Judge)
UID No. PB0175**

**CNR No. PBT01003115-2019
CIS No. BA/1574/2019
Decided on. 19.06.2019**

Sukhdev Singh s/o Satnam Singh r/o village Kambo, Tehsil and Distt.
Tarntaran.

....applicant-accused.

Versus

State of Punjab

**FIR No : 87 Dated 06.06.2019
U/s : 307,506,120-B, 148,149IPC & 25,27,54,59
Arms Act.
PS : Sadar Tarntaran.**

(Bail application u/s 438 of Cr.P.C)

ORDER

Present: Sh. Gurmit Singh, Adv. Counsel for applicant.
Ld. Addl. PP for the State.

File put up before being Duty Judge. Sukhdev Singh has approached this court for the grant of anticipatory bail in case FIR no. 87 of 06.06.2019 u/s 307,506,120-B,148,149IPC & 25,27,54,59 Arms Act registered at police station Sadar Tarntaran.

Bail application has been moved on the ground that the accused/applicant has been falsely implicated in the presence case with ulterior motive under the political pressure. The accused/applicant is quite innocent. The complainant party got registered false and fabricated case i.e. FIR no. 13 dated 19.01.2019, FIR no. 60 dated 02.04.2018, FIR no. 323 dated 31.12.2018 and FIR no. 324 dated 03.11.2017 at police station Sadar Tarntaran. The alleged case is of no injury case and the

story narrated by the complainant is totally false and concocted one. The accused has never committed any alleged offence all the allegations are leveled false and baseless. The applicant is ready for joining the investigation as and when required by the investigation officer or higher Officials.

Counsel for accused has argued that the case has been politically motivated one. He also contends that even vaguely it has been stated one of the accused Sukhjinder Singh at his instance the alleged occurrence take place who was not present at the spot. Even argued that earlier false cases were got registered wherein the accused are on bail.

Ld. APP for the state has vehemently opposed the bail application.

Police record called and received and perused.

As per allegations, it was on 05.06.2019 when the complainant Anoop Singh alongwith Dilbagh Singh were present in the house of Nishan Singh where accused Ranjit Singh armed with Sword, Bikramjit singh armed with Dattar, Jaspal Singh armed with Pistol, Satnam Singh armed with small 12 Bore Riffle, Sukhdev Singh empty handed came in the house of Nishan Singh and Jaspal Singh raised Lalkara to teach Nishan Singh a lesson for nursing grudge and then Satnam Singh fired two shots and Jaspal Singh fired one shot towards Nishan singh in order to kill however Nishan Singh saved himself by getting aside a wall and he raised loud voice to save and assailants there on escaped while threatening. The said attack on Nishan Singh has been

done at the instance of Sukhjinder Singh s/o Nirmal Singh Ex Sarpanch who even handed over 12 bore riffle to Satnam Singh as well.

Only allegation against the accused Sukhdev Singh applicant/accused has been that he was present at the spot but was empty handed. In such circumstances when nothing is attributed upon the accused applicant and when just presence of the accused has been shown and when he has even not participated in the crime as well, as per the allegations, this court is of view that his custodial interrogation of accused is not required and it would be in the better interests of investigation that the applicant-accused be directed to join investigation. As such the applicant-accused is directed to join investigation till 04.07.2019 and in that event the applicant-accused will be admitted on interim bail to the satisfaction of Investigating officer/SHO concerned subject to the conditions that:-

- a) He shall join the investigation, as and when called by the I.O.
- b) He will not tamper with the prosecution evidence.
- c) He will not leave the country without the prior permission of the Trial Court.

Report in this regard be submitted in this court on date fixed. File be put up before Ld. District and Sessions Judge on that date for the entrustment purpose.

(Amanpreet Singh)
Stenographer -I

(Parminder Singh Rai)
Addl. Sessions Judge
Tarntaran/19.06.2019
UID No.PB-0175 (Duty)