

**IN THE COURT OF RAVI INDER SINGH  
ADDITIONAL SESSIONS JUDGE,  
MANSA.**

CIS No.BA/1588/2023  
CNR No. PBMN01004326/2023  
Date of order : 12.10.2023

1. Jagsir Singh, aged about 38 years, son of Chand Singh;
2. Kiranjeet Kaur, aged about 38 years, wife of Jagsir Singh son of Chand Singh;  
both residents of Ward No.2, Bhikhi, Tehsil and District Mansa.

--Applicants/accused

Versus

State of Punjab

--Respondent.

FIR No. 193 dated 28.09.2023  
under Sections 379 IPC  
Police Station Bhikhi, District Mansa

**First Anticipatory bail application under Section 438 Cr. P.C.**

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Present; Shri Gagandeep Singh, Advocate, for applicants-accused.  
Shri Jasvir Singh, Addl.PP for respondent-State

**ORDER.**

**GROUND'S MENTIONED IN THE APPLICATION**

The instant application for grant of pre-arrest bail under section 438 Cr. P.C. has been moved on behalf of accused/applicants Jagsir Singh and Kiranjeet Kaur mainly on the grounds of false implication; the applicants being owner in possession of the land in question and no offence u/s 379 IPC having been made out; nothing to be recovered from the applicants and custodial interrogation is not required.

**NATURE AND GRAVITY OF OFFENCES**

2. Present FIR under Section 379 of IPC was registered on the allegations that the accused-applicants had committed theft of the cotton crop from the land which was still in possession of the complainant and regarding which an

oral agreement was made and the possession of the land would be handed over to the accused after harvesting the cotton crop.

### **ARGUMENTS ON BEHALF OF APPLICANTS**

3. Learned counsel for the applicants apart from reiterating the ground mentioned in the bail application has further submitted that the sale deed and the mutation of the land is in favour of the applicant Jagsir Singh. Earlier the applicant Jagsir Singh has moved a complaint against the complainant and FIR No.165 dated 25.08.2023, u/ss 447, 511, 379, 427, 34 of IPC, P.S.Bhikhi was registered against the complainant in which the police has not taken any action and the present FIR is the counter blast of the said matter. The learned counsel has further submitted that it is improbable that in view of said FIR there could be any oral agreement as alleged by the complainant. Further submitted that the applicants are ready to join the investigation and prayer for allowing the bail application has been made.

### **ARGUMENTS ON BEHALF OF STATE**

4. Contesting these submissions, learned Addl. PP has argued that the custodial interrogation of applicants is required and therefore, the instant application may be dismissed.

### **OPINION**

5 Heard. Record perused. Keeping in view the fact that FIR No.165 dated 25.08.2023, u/ss 447, 511, 379, 427, 34 of IPC, P.S.Bhikhi got registered by the present applicant Jagsir Singh against the complainant is also pending and the so called agreement relied upon by the complainant being oral in nature, therefore, without commenting upon the merits of the main case, the applicants are directed to join the investigation with the Investigating Officer within 5 days from today and in that eventuality, they will be released on interim bail by the Arresting Officer on furnishing of bail bonds to his satisfaction. Applicants shall comply with conditions of 438 (2) Cr.P.C. A copy of this order be sent to the concerned quarter.

6. Report of Investigating Officer regarding joining of investigation by accused-applicants be submitted on 23.10.2023.

Date of order : 12.10.2023  
(Harjinder Singh)

(Ravi Inder Singh)  
Addl. Sessions Judge,  
Mansa, UID No.PB0237.

CNR No. PBMN01004326/2023

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Jagsir Singh and another Vs. State

Present;      Shri Gagandeep Singh, Advocate, for applicants-accused.  
                 Shri Jasvir Singh, Addl.PP for respondent-State

Record is perused and returned. Arguments heard. Vide my separate detailed order of even date, the applicants are directed to join the investigation with the Investigating Officer within 5 days from today and in that eventuality, they will be released on interim bail by the Arresting Officer on furnishing of bail bonds to his satisfaction. A copy of this order be sent to the concerned quarter. Report of Investigating Officer regarding joining of investigation by accused-applicants be submitted on 23.10.2023.

Date of order : 12.10.2023  
(Harjinder Singh)

(Ravi Inder Singh)  
Addl. Sessions Judge,  
Mansa,  
UID No.PB0237.