

**IN THE COURT OF Ms. ANSHUL BERRY,
ADDITIONAL SESSIONS JUDGE
FATEHGARH SAHIB.
UID No. PB0095**

**Bail Application No: 1587 of 2022
CNR No:PBFG010053412022
Decided on: 26.12.2022**

Dharminder Singh, aged about 37 years, son of Amar Singh, resident of
village Tajpura, District Fatehgarh Sahib.

..... Applicant

V E R S U S

State of Punjab

..... Respondent

FIR No: 131 dated 22.11.2022

U/S 304, 201 of IPC

PS Badali Alla Singh.

Third bail application under Section 439 Cr.P.C

**Present: Proxy counsel for applicant/accused.
Ms. Anju Narula, Addl. PP for the State.**

ORDER:-

1. This order of mine shall dispose of regular bail

Ms. Anshul Berry,
Additional Sessions Judge,
Fatehgarh Sahib.
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application filed by applicant/accused in case FIR No. 131 dated 22.11.2022, under Sections 304, 201 of IPC, Police Station Badali Alla Singh, in which it is submitted that applicant has been falsely implicated in this case. The applicant has no concern or connection of this FIR. The trial of case will take long time. So the present bail application be kindly allowed.

2. Upon notice, Ld.Addl.PP for the State appeared and contested the bail application.

3. Record requisitioned and perused.

4. As per the prosecution version, Gurdas Singh son of late Kaka Singh, resident of village Tajpura, Police Station Badali Ala Singh, District Fatehgarh Sahib made statement that he is Ex Sarpanch of the village. They are three brothers and one sister. Amar Singh, aged 70 years, is elder brother, who is having two sons and two daughters. His nephew Dharminder Singh usually quarrel with his brother Amar Singh. On 22.11.2022 at 6 PM, when he was going to take milk, there Gian Singh Sarpanch's house in the street. People

told him that his brother Amar Singh is beaten by his nephew Dharminder Singh and asked him to intervene but he could not went there due to fear Dharminder Singh could beat him as he has already fractured his leg earlier. He came back after taking milk towards his house. Today, he came to know that his nephew Dharminder Singh taken his brother Amar Singh to Dr. Balram of village Bhagrana, then he has taken to Dr. Khan of Chunni Kalan. His brother expired. Hence, he has taken him to his house and cremated dead body of his brother in the early morning. When he came to cremation ground he saw dead body of his brother Amar Singh was burning. He narrated whole occurrence to Gian Singh husband of village Sarpanch. The cause of death of his brother was due to beatings given by his nephew Dharminder Singh. Thereafter he cremated dead body of his brother in order to destroy evidence.

5. Ld. Counsel for the applicant has argued that applicant is innocent. He has not committed any offence. A false case has been planted upon applicant. So the applicant be grant bail.

6. On the other hand, Ld. Addl.PP for State, argued that applicant has committed serious offence. No bail can be granted to the applicant. So bail application of applicant be dismissed.

7. After giving my careful consideration and perusal of the record, I find that as per prosecution version applicant Dharminder Singh gave beatings to his own father Amar Singh and due to the beatings given by Dharminder Singh, his father Amar Singh died and he cremated dead body of his father in the early morning in order to destroy evidence. Hence, the applicant has committed grave and serious offence. He does not deserve any leniency of bail. No ground is made out to allow the present bail application. Hence, the bail application is hereby dismissed without commenting on the merits of the case. Papers of bail application be consigned to the record room.

Pronounced in open Court.
Dated: 26.12.2022.

(Anshul Berry),
Addl. Sessions Judge,
Fatehgarh Sahib, (Duty).
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Sudhir Kinger, Stenographer Gr.-1

Ms. Anshul Berry,
Additional Sessions Judge,
Fatehgarh Sahib.
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