

**IN THE COURT OF SH. TARSEM MANGLA,
SESSIONS JUDGE, FAZILKA (UID No. PB0049).**

CIS NO. BA/1561/2020.

Date of Instt: 29.07.2020.

CNR No. PBFZC0-003183-2020.

DATE OF DECISION: **18.08.2020.**

Jaswinder Singh @ Dabi son of Jarnail Singh resident of Dhani Jagon
Tehsil & District Fazilka.

-----Applicant/accused.

Versus

State of Punjab

-----Respondent

Application for bail u/s 439 Cr.P.C. in case FIR no. 51 dated
13.03.2020 under Sections 302, 365, 201, 34, 120-B IPC, P.S.
City-I, Abohar.

Present:- Sh. Sandeep Bajaj, Advocate counsel for applicant/accused.
Sh. Sanjeev Kochhar, Ld. Public Prosecutor for the State.

ORDER

This is an application seeking regular bail applied on behalf of
applicant/accused Jaswinder Singh @ Dabi under the aforesaid sections.

2. Upon notice, Shri Sanjeev Kochhar, Ld. Public Prosecutor
appeared on behalf of State/respondent and contested the bail application.

3. Heard. FIR in this case was got registered on 13.03.2020 by
Mohinder Singh father of the deceased by stating that he has two sons
Gurbaksh Singh and Ashok Singh, both of whom were married. Gurbaksh
Singh was married to Paramjit Kaur about 22 years ago and gave birth to
two sons and two daughters. He alleged that his daughter-in-law Paramjit
Kaur is very clever. She established illicit relations with Jaswant Singh
resident of Dhani Jago, Abohar as well as Pala Singh of Dhani Karaka
Singh, Abohar. Due to the said fact, his son Gurbaksh Singh was under
depression, as despite being told not to go out of home, Paramjit Kaur had

been disobeying him. The said Paramjit Kaur along with her daughter Seema and Jogindero Bai wife of Dalip Singh and Jaswant Singh, Pala Singh etc. had also been beating his son. It was further alleged that on 01.03.2020 the said Paramjit Kaur rang up his (complainant's) nephew Sukha Singh son of Inder Singh informing that her husband was missing since 27.02.2020. Consequently, he started searching for him. He suspected that his son might have been kidnapped or killed by the aforesaid persons. Consequently, FIR under Section 365 read with Section 34 IPC was registered, but during the course of investigations, dead body of Gurbaksh Singh was found and it appeared as if he was murdered. Consequently, Jaswant Singh, Paramjit Kaur and Jaswinder Singh were arrested and offence under Section 302 read with Section 201, 120-B IPC were enhanced.

4. The present bail applicant Jaswinder Singh is in custody since 26.04.2020. Learned Public Prosecutor made it clear that the bail applicant helped the principal accused in disposal of dead body of Gurbaksh Singh by lending his motor cycle and as such, his active connivance was found in the commission of crime.

5. Learned counsel for the bail applicant submitted that the bail applicant has no role to play in the said crime and merely because his motor cycle was allegedly used in disposal of dead body in itself cannot make him an accused of murder.

6. I have given a careful thought to these submissions. The offence complained of is very serious and grave. At this stage, comparative guilt or culpability cannot be segregated. Taking into account the gravity of the offence and as it has rightly been feared by the prosecution that if at this stage, the bail applicant is enlarged on bail, he may interfere in the

ongoing investigations/trial and will influence the prosecution witnesses. Hence, finding no merits in the present bail applicant, the same is ordered to be dismissed.

7. Bail application file be consigned to the Record Room,
Fazilka.

Sd/-

Dated: 18.08.2020.

‘Bhola Shankar’

‘Stenographer Gr.I’

(Tarsem Mangla),
Sessions Judge,
Fazilka (UID No. PB0049)

BA 1561 of 2020 Jaswinder Singh versus State of Punjab

CNR No. PBFZC0003183-2020.

Present:- Sh. Sandeep Bajaj, Advocate counsel for
applicant/accused.
Sh. Sanjeev Kochhar, Ld. Public Prosecutor for the State.

Heard. Vide my separate & detailed order of even date, the bail
application has been dismissed.

Bail application file be consigned to the Record Room,
Fazilka.

Sd/-

Dated: 18.08.2020.

‘Bhola Shankar’
‘Stenographer Gr.I’

(Tarsem Mangla),
Sessions Judge,
Fazilka (UID No. PB0049)