

**IN THE COURT OF SH.PREM KUMAR,ADDL. SESSIONS
JUDGE, GURDASPUR (UID No.PB0451)**

**Bail Application No. 244/2019
Date of Instn. : 29/05/2019
CIS No.BA/1482/2019
CNR No. PBGD01-006240-2019
Date of order : 31/05/2019**

Baljit Singh alias Beera Driver aged about 45 years son of late
Lashman Singh, Caste Majbi Sikh resident of village Dhir, Tehsil
Batala, District Gurdaspur.

..Applicant-accused

Versus

State of Punjab

..Respondent.

FIR No.35 Dated 21.05.2015
U/Ss 302, 201 IPC
Police Station Sadar Batala.

2nd Bail application U/s 439 Cr.P.C.

Present: Sh. S.K.Gupta, Advocate for applicant.
Sh. K.S. Gill, Addl. P.P for State.

ORDER:

1. This order of mine shall dispose of bail
application under Section 439 Cr.P.C. by applicant-accused Ranjit
Singh in the above mentioned FIR.

2. Upon notice of this bail application, learned
Addl.P.P appeared on behalf of State and opposed the bail
application. Police record was also summoned.

3. The present case was registered on the telephonic
information of Sarpanch Gurnam Singh of village Dhir on 21.05.2015
to the police that one Narinder Kaur of his village has been murdered
by someone. On the basis of this information the police reached at the
spot where Baljit Singh applicant/accused along-with other persons
met the police party and he got recorded his statement in which he

alleged that on 19.05.2015 at about 8.00 A.M., he had gone to his work and due to the season of wheat crop and his work, he could not come to home and on that day he was present at Taragarh godown where he received a telephonic call from Gurnam Singh Sarpanch that his wife has been murdered by some unknown person. He further alleged that he came to his village and found dead body of his wife in a room and he saw that blood was oozing from neck of his wife where injuries with some sharp weapon was inflicted. Accordingly, the matter was reported to the police and the police swung into action and the aforesaid FIR has been registered. However, during investigation, on the statement of Gurmit Kaur wife of Darshan Singh and Sant Parkash son of Lachhman Singh, the present accused/applicant was nominated as accused, but he could not be arrested and subsequently he was declared as Proclaimed Offender on 07.12.2017. Thereafter, he was arrested on 24.03.2018 and since then he is in police custody. He preferred first bail application under section 439 of the Code of Criminal Procedure on 21.11.2018 which was dismissed on 22.11.2018. Now the accused/ applicant has filed the present second bail application under section 439 of the Code of Criminal Procedure.

4. The learned counsel for the applicant/accused has argued that the applicant/accused is innocent and has not committed any offence and has been falsely implicated in the present case. There is also no evidence which connect the accused with the alleged offence. He further argued that the accused/applicant is falsely implicated in the present case on the statement of Gurmeet Kaur wife of Darshan

Singh under section 161 Cr.P.C., which was allegedly recorded on 22.02.2016 after the lapse of approximately 8-1/2 months of alleged occurrence. The accused/applicant is in judicial custody since last more than 14 months and he is not required for any custodial interrogation and it will take a long time for the conclusion of trial and no useful purpose will be served to keep him in judicial custody. Prayer has been made for acceptance of bail application. In support of his arguments learned counsel for the applicant/accused has also relied upon citation titled as *Mukhtiar Kaur Grewal Vs The State of Punjab and others reported in 2015 (5) R.C.R. (Criminal) 699 (P&H).*

5. On the other hand, learned Additional Public Prosecutor for the State has opposed the bail application on the ground of gravity of offence and prayer has been made for dismissal of the same.

6. Heard.

Record perused. The allegations against the applicant/accused are serious in nature as according to the prosecution, he has committed the murder of his wife. Mere fact that the applicant/accused is in judicial custody since 24.03.2018 is no ground to release him on bail. Further, the trial of the case is in progress and the material witnesses are yet to be examined. Though apart from the extra judicial confession made by the accused/applicant with Santokh Singh, he remained Proclaimed Offender and he ran away after murder of his wife. There are not changed circumstances to release him on regular bail. The allegations against the applicant/accused are serious in nature and against the

Society. Further, the citation relied upon by the learned counsel for the accused/applicant is not applicable to the facts of the present case. So, taking into consideration all these facts and circumstances of this case, at this stage no ground is made out to grant concession of regular bail to applicant/accused. Hence, without commenting on the merits of this case, the present second bail application filed by applicant/ accused Baljit Singh @ Beera is dismissed. Anything said or observed in this order shall have no bearing effect on merits of the case. Record of this bail application be annexed with the main trial which is pending in this court for 06.06.2019.

Pronounced in open Court:

Dt: 31/05/2019

Shiv Kumar Stenographer Gr.1

(Prem Kumar)

Addl. Sessions Judge,

Gurdaspur.(UID No.PB0451)

Present: Sh. S.K.Gupta, Advocate for applicant.
Sh.K.S. Gill, Addl. P. P for State.

Record perused. Arguments on bail application heard.

Vide my separate detailed order of even date the present second regular bail application filed by applicant/accused has been dismissed. Anything said or observed in this order shall have no bearing effect on merits of the case. Record of this bail application be annexed with the main trial which is pending in this court for 06.06.2019.

Pronounced in open Court:
Dt: 31/05/2019
Shiv Kumar,
Stenographer-I

(Prem Kumar)
Addl. Sessions Judge,
Gurdaspur.(UID No.PB0451)