

**IN THE COURT OF SH. SUMEET MALHOTA ,
SESSIONS JUDGE, FEROZEPUR.**

PBFZ010050692025



CNR No. PBFZ0100- 5069 -2025

CIS No. BA- 1985 of 2025

Date of Order: 17.07.2025

Pending for 23.07.2025

Karam Singh aged 67 years son of Bahadur Singh, resident of Village
Chak Kandhe Shah, P.S. Lakho Ke Behram, District Ferozepur.

.....Applicant-Accused.

Versus

State of Punjab.

....Respondent.

Application for bail under section 482 BNSS

FIR No.67 dated 06.07.2025,
Under Sections 333, 118(1), 115(2), 191(3), 190 of BNS
Police Station Lakho Ke Behram.

Present: Sh. R.K. Dua Advocate, counsel for petitioner,
Sh. Amit Goklaney, Addl. Public Prosecutor for State.

ORDER:-

Petitioner Karam Singh son of Bahadur Singh has
approached this Court for grant of anticipatory bail in a case FIR No.67

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Sessions Judge, Ferozepur

dated 06.07.2025, Under Sections 333, 118(1), 115(2), 191(3), 190 of BNS, registered at Police Station Lakho Ke Behram.

2. Notice of the bail application was issued to the State and Sh. Amit Goklaney, learned Addl. Public Prosecutor appeared on behalf of the State.

3. Filing Branch has reported that as per CIS system and official website of Hon'ble Punjab & Haryana High Court, except the present bail application, no such bail application is pending or decided in the present FIR in any subordinate court as well as Hon'ble High Court.

4. As per the contents of the FIR, the present case was lodged on the statement of the Gurcharan Singh son of Balveer Singh recorded on 06.07.2025, wherein he stated that he is an agriculturist and they are four brothers and they had bought 84 *marlas* of land from Amar Singh son of Bahadar, which was divided among all four brothers, to the extent of 21 *marlas* each. In this 84 *marlas* of land, there is a passage of 4 *marlas* and they have got registered sale deed of 84 *marlas* of land and the passage of 4 *marlas* of land falling therein, but now the opposite party is denying to give passage. On 04.07.2025,

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at about 8:30 PM, the complainant and his family were present at their house, then Gurnam Singh, Balvir Singh, Surjit Singh, Karam Singh, Harnam Singh, Juj Singh, Buta Singh, Banso, Palo and Raj Kaur armed with *kappas*, swords and sticks came and started dismantling their passage with the help of spades and tried to occupy the same. When the complainant went to stop them, then Balvir Singh raised *lalkara* to catch and teach a lesson to the complainant for stopping them from occupying the passage. In the mean while Gurnam Singh gave *kappa* blow upon complainant and in order to save himself, complainant raised his left hand and blow hit on his left little finger. Then Surjit Singh gave *sota* blow, which hit on geneticals of the complainant. Complainant ran out to fear and entered into his *haveli* and the assailants, following him, also entered into his *haveli* and gave beatings to the complainant with sticks. Banso, Palo Rani, Buta Singh and Juj Singh pelted bricks and stones into the house of complainant and damaged his house. Kirpal Singh, brother of complainant, came forward to rescue the complainant, upon which Surjit Singh gave stick blow on his head. Complainant and his brother raised alarm, which attracted Mukhtiar Singh and Gurmej Singh and on seeing them, all the

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assailants fled away from the spot with their respective weapons. The motive of the occurrence is that the complainant purchased passage measuring 4 *marlas* and even got the sale deed registered, but Gurnam Singh party want to occupy the said passage of the complainant.

5. Learned counsel for petitioner states that the petitioner is innocent and has been falsely implicated in this case. He argued that as per the FIR version, there is a land dispute between the parties and that the petitioner has been falsely implicated in this case, on account of creating pressure on the accused side, to relinquish their lawful right over the passage in question. Learned counsel argued that there is civil suit pending between the parties, filed by Karam Singh and Gurnam Singh, who are shown to be the accused in this case, against the complainant and other 4 others, qua land in question and that the petitioner is ready to join the investigation and to cooperate with the Investigating Agency. However, he apprehends his arrest as the offence is non-bailable.

6. Per contra, learned Additional Public Prosecutor, on the instructions from ASI Khushia Singh, has opposed the bail application on the ground of seriousness of the offence.

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7. I have considered the submissions made at the bar.

8. Present FIR is lodged on the statement of Gurcharan Singh, recorded on 06.07.2025. The occurrence is said to have taken place on 04.07.2025, at about 8:30 PM. Thus, there is apparent delay of 2 days in reporting the matter to the police. As per allegations, petitioner alongwith 9 others including 3 ladies, have formed an unlawful assembly being armed with kappas, swords, sticks and were dismantling the passage, with the help of spades, when the complainant reached at the spot. He is said to have been assaulted by the unlawful assembly, as already detailed in the earlier part of the order. The petitioner is said to be the part of the unlawful assembly. However, no specific role is attributed to the petitioner, besides a general allegation of the unlawful assembly being committing house trespass and all the accused given general beatings to the complainant. There are other direct attributions made to the other co-accused. The motive as narrated in the FIR also shows that there is a land dispute between the parties. The petitioner has offered to join the investigation and to cooperate with the Investigating Agency. Accordingly, I deem it fit and appropriate to direct the petitioner to join the investigation in this case, as and when called by the

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investigating agency. However, in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds to the satisfaction of Investigating Officer/Arresting Officer/Duty Officer, as the case may be. The petitioner shall abide by terms and conditions of the provisions of section 482(2) of BNSS. A copy of this order be sent to the SHO of the concerned police station for compliance.

File be put up on 23.07.2025 for further proceedings, on which date, police record be also put up.

Pronounced:
Dated: 17.07.2025
Mukesh Kakkar

Sd/-(**Sumeet Malhotra**),
Sessions Judge, Ferozepur.
(UID No.PB0060)

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