

**IN THE COURT OF BISHAN SAROOP,
ADDITIONAL SESSIONS JUDGE
MOGA (UID No.PB00449).**

CNR No.PBMO010048802024
CIS Filing No.BA/1924/2024
Date of order : 13.09.2024.

1. Sukhdev Singh son of Jeet Singh resident of Near Bus Stand, Bhinder Kalan, Tehsil Dharamkot, District Moga.
2. Rampal Singh son of Jeet Singh resident of Patti Sand, Bhinder Kalan, Tehsil Dharamkot, District Moga.

---Accused/applicants

Versus

State of Punjab

FIR No.140 dated 23.08.2024
Under Sections :- 452, 323, 34 IPC, (Old)
U/ss 333, 115, 3(5) of BNS Act (New)
Police Station :- Dharamkot.

Bail Application under Section 482 of B.N.S.S.

Present :- Sh. David Aggarwal Advocate for accused-applicants.
Mrs. Gunwantjit Manesh, Additional Public Prosecutor for State
assisted by Sh. Sukhdev Singh Advocate for the complainant

ORDER

Today, ASI Rashpal Singh has suffered his separate statement that he has brought the record concerning the present bail application. As per record, the accused/applicants have joined the investigation as per the order of the court dated 05.09.2024. Their custodial interrogation is not required. No bail application of the accused/applicants is pending before the Hon'ble High Court.

2. Heard on the present application moved under section 482 of B.N.S.S. It is contended by counsel for the applicants that they have already joined the investigation with police. Thus, the present bail application be allowed.

3. On the other hand, learned Addl.PP for State assisted by the

learned counsel for the complainant has contended that in view of the seriousness of the offence so committed by the applicants, they do not deserve any kind of leniency as such, the bail application be dismissed.

4. After giving my thoughtful consideration to rival submissions and on careful perusal of the averments put in the application, contents of the FIR, statement so got recorded by ASI Rashpal Singh coupled with the due assistance rendered, the court finds merit in the submissions of learned counsel of the applicants. Also, keeping in view of the observation made by the constitutional bench of Hon'ble Apex court in ratio-decidenti **Gurbax Singh Sibia Vs State of Punjab, 1980 (2) Supreme Court cases 565**, the interim bail granted to the applicants vide order dated 05.09.2024 is, hereby confirmed and made absolute subject to compliance of provisions as envisaged under section 482 of B.N.S.S Police record be returned and bail application file be consigned to the record room.

Pronounced.

Dated :- 13.09.2024.

Sunny Stenographer-II

(Bishan Saroop)

**Additional Sessions Judge,
Moga (UID No.PB00449).**

Sukhdev Singh Vs. State

Present :- Sh. David Aggarwal Advocate for accused-applicants.
Mrs. Gunwantjit Manesh, Additional Public Prosecutor for State
assisted by Sh. Sukhdev Singh Advocate for the complainant

Today, ASI Rashpal Singh has suffered his separate statement that he has brought the record concerning the present bail application. As per record, the accused/applicants have joined the investigation as per the order of the court dated 05.09.2024. Their custodial interrogation is not required. No bail application of the accused/applicants is pending before the Hon'ble High Court.

Arguments heard. Vide my separate detailed order of even date, present bail application has been allowed. File be consigned to the Record Room.

Pronounced.
Dated :- 13.09.2024.

Sunny Stenographer-II

(Bishan Saroop)
Additional Sessions Judge,
Moga (UID No.PB00449).