

IN THE COURT OF ARVIND KUMAR
ADDITIONAL SESSIONS JUDGE, KURUKSHETRA
(UID:HR0257)



CNR No.HRKU01-009643-2025
CIS (Bail Appl.) No.2336 of 2025
Date of Institution : 10.12.2025
Date of Decision : 16.12.2025

Neeraj Kumar aged about 32 years son of Baldev Raj, resident of House No.590, Saha, Police Station Saha, District Ambala, at present tenant Kardhan, Police Station Mahesh Nagar, Ambala Cantt.

...Applicant/accused

Versus

State of Haryana.

...Respondent.

FIR No. 218 dated 18.06.2025
Under Sections: 308 (2), 308 (6) of The Bharatiya Nyaya Sanhita, 2023
Police Station: City Thanesar.

Application for Regular bail under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023

Present: Shri Yogesh Malik, counsel for the applicant/accused.
Shri Manoj Tayagi, Public Prosecutor for respondent/State.

Order:

This regular bail application has been filed in the
aforementioned F.I.R. by the applicant/accused under Section 483 of The

(Arvind Kumar)
Additional Sessions Judge
Kurukshetra(UID:HR0257)
16.12.2025

Bharatiya Nagarik Suraksha Sanhita, 2023. Learned Public Prosecutor for the State has appeared on behalf of respondent/State and has filed reply of even date.

2. Facts of the prosecution case, in brief as averred by the complainant, are that Monika had filed a case No.19 dated 10.06.2025 against the complainant Mohan Lal at P.S. Women, Kurukshetra and the she alongwith her husband were demanding ₹20 lakh from the complainant in exchange for the withdrawal of their case and in this context, they were harassing the complainant. On 17.06.2025 at about 05:03 pm, Monika came to the Court premises and took ₹2 lakh from the complainant inspite of fact that she firstly started the relationship willingly with the complainant and then alongwith her husband, started blackmailing the complainant and demanded more money. Thereafter, complainant moved complaint against the accused persons. On the basis of above said complaint, a raiding party was prepared and on the directions of Duty Magistrate, the complainant paid ₹5 lakh to the accused persons and gave signal to the raiding party. A raid was conducted by the police party and Monika alongwith her husband Neeraj Kumar (applicant/accused) were counting the alleged demanded currency notes. With these allegations, the complainant requested to take action against the accused persons. During investigation, the applicant/accused was arrested.

3. The Ld. counsel for the applicant/accused, Neeraj Kumar has submitted that the allegations levelled in the FIR are totally false, frivolous and based on manipulation. The police instead of taking action against the complainant in case FIR No.19/2025, under sections 61(1), 351(2) and 3 (5) of BNS 2023, registered in Women Police Station, falsely involved the applicant/accused and his wife in the present case. It has been further submitted that the applicant/accused never raised any demand of money from the complainant nor any incriminating evidence has been recovered from his possession. Rather the police during custody of the applicant/accused has obtained his signatures on blank papers under threats and converted them in documents, which carries no evidentiary value. It has been further submitted that the applicant/accused is innocent and has not committed any offence and has been falsely implicated by the complainant in collusion with the police. The applicant/accused had been arrested by the police on 18.06.2025 and since then, he is in judicial custody. It has been further submitted that no investigation is pending against the applicant/accused and the challan has been submitted by the police before the trial Court. It has been further submitted that no recovery has been effected from the applicant/accused. It has been further submitted that the applicant/accused is not required by the police for further investigation and nothing is to be recovered from him and hence the applicant-accused be released on bail.

4. However, on the other hand, learned Public Prosecutor for the state has vehemently argued that the offences committed by applicant/accused are heinous and grievous in nature. It has been further submitted that and at this stage, the Court has to see that if released on bail, whether or not the accused would leave the jurisdiction of the Court or can influence the witnesses. If the present applicant/accused is released on bail then he would certainly misuse the concession of bail granted to her would certainly leave the jurisdiction of this Court and would pressurize the witnesses hence the application filed by the applicant/accused be dismissed.

5. I have heard the Ld. Counsel for the parties and perused the case file.

6. It transpires that in the present case, the applicant/accused has been booked under Sections 308(2) and 308(6) BNS 2023 with the allegations that on account of settlement in a false case, the present applicant/accused alongwith other co-accused had demanded the amount of ₹20 lakh, out of which ₹2 lakh were already paid and ₹5 lakh were paid on 17.06.2025 and in the raid the applicant/accused was caught red handed. The nature of offence and allegations against the applicant/accused are serious in nature. Further, specific role has been attributed upon the applicant/accused and the raid was conducted in presence of Duty Magistrate and the applicant/accused also arrested on the spot.

7. As per record the regular bail applications of co-accused Monika were dismissed vide orders dated 29.08.2025 and 18.10.2025 respectively.

8. It is the settled law that at the time of the grant of the concession of the bail to the applicant/accused, the court has to see that if granted the concession of bail then whether or not the accused would flee from its jurisdiction or would pressurize the witnesses. No doubt, as per police reply, the final report under Section 193 BNSS 2023 has been filed against the applicant/accused, but it is a fact that the accusation against the applicant/accused are that Monika wife of applicant/accused lodged false case and extorted the money for settling that false case and was caught on the spot in the presence of Duty Magistrate and the person who misuse the provision of law for monetary gains have to be dealt with tough hands and he/she deserves no leniency. If such type of person is released on bail then he can misuse the provisions of law and certainly such person is most likely to leave the jurisdiction of the Court and are also most likely to pressurize the witnesses and hence deserve no concession of bail.

9. In view of the above, but without commenting upon the merits of the case, I am of the considered opinion that the applicant/accused is not entitled to the concession of bail. Therefore, the present application moved by the **applicant/accused Neeraj Kumar** for grant of bail under Section 483 of BNS 2023 is, hereby, **dismissed**. It is made clear that observations given

herein before are only for the decision of present application and has no affect on the merits of the case. File be consigned to the record room after due compliance.

Pronounced in open Court.
Dated:16.12.2025.
narinder

(Arvind Kumar)
Additional Sessions Judge,
Kurukshetra(UID:HR0257)

Note: It is certified that this order contains 6 pages and all the pages have been checked and signed by me.

(Arvind Kumar)
ASJ, Kurukshetra.16.12.2025

Present: Shri Yogesh Malik, counsel for the applicant/accused.
Shri Manoj Tayagi, Public Prosecutor for respondent/State.

ORDER

Reply to the bail application has been filed. The same is taken on record. Report of Ahlmad received and perused. Arguments heard on the bail application. Order pronounced. Vide separate order of even date, the instant regular bail application stands dismissed. File be consigned to the record room after due compliance.

Pronounced in open Court.
Dated:16.12.2025.
narinder

(Arvind Kumar)
Additional Sessions Judge,
Kurukshetra.(UID:HR0257)