

Amrit Singh Vs. State
CNR No: PBSAA1000301-2023

BA-31-2023

Present : Sh. Sushant Kaushik Advocate, for the applicant/accused Amrit Singh.
Sh. Gurjinder Singh, Additional Public Prosecutor for the State.

1. This order of mine shall dispose of bail application filed by applicant/accused Amrit Singh. It has been submitted by learned counsel for applicant/accused that applicant/accused has been falsely implicated in the present case and he is innocent and law abiding citizen of India. It is further submitted that applicant/accused has not committed any offence as alleged in the FIR and he is arrested on 28.12.2022 and since then he is in custody. He further submitted that the alleged recovery if any had already been effected and conclusion of trial will take long times and no useful purpose will be served by keeping the applicant/accused behind the bars. It is also submitted that the applicant/accused undertakes that he will abide by all the terms and conditions imposed by this Court while granting bail. With these submission, he prayed for granting concession of bail to the accused/applicant.

2. Upon notice, learned APP for the State appeared and opposed the bail application. He has not been filed any reply to the present bail application and argued that present FIR was registered on the basis complaint of complainant in which he alleged that on 27.11.2022 at about 12.00 PM six unknown person came to him and they demanded Rs.2 crore. Thereafter on 12.12.2022 when the partner of the complainant reached his office his security guard told him that five to six persons are

entered in the office forcibly. When partner of complainant started to enter the office, he saw that two persons were sitting outside in the reception and when he opened the door of the office, he saw that 4 unknown persons were sitting in the office. Out of which 2 persons were sitting on their chairs. When partner of complainant Naveen objected to this, one of them said that 'I am Gola Rai Kotia', where is Nitin. The partner of complainant namely Naveen tells them that he has gone to Delhi. They said that we asked Nitin to pay Rs 2 crore, otherwise we will kill him. When Naveen Kumar protested, Gola Rai Kotia shown his pistol and threatened that if complainant does not arrange the money within a week, then he should prepare himself. Then on 23-12-2022 in the afternoon the complainant has received a missed call from an unknown number. The unknown person said that you have filed a complaint against us with the police, you and your partner have not done it well and also threaten that be prepared to dire consequences. On which the said case was filed against Gola Rai Kotia and 5 unknown persons and accused Kulwinder Singh alias Gola Raikotia was arrested on 28-12-2022. On inquiry, Jaswinder Singh alias Jass alias Gola son of Manjit Singh, Manav Karwal son of Praveen Karwal, Gotam alias Lalla son of Chaman Lal, Harvinder Singh son of Mangat Ram and Amrit Singh alias Ammu son of Shanti Sarup were nominated in the present case. Ld. APP for State prayed that the bail application of accused Amrit Singh be dismissed as he can commit more crime if he is released on bail.

3. I have heard learned counsel for the accused/applicant, as well as, learned APP and have gone through the police record carefully.

4. Accused has been booked for allegedly committing offences under sections 452, 384, 506, 148, 149 IPC and Section 25, 54, 59 of Arms Act, P.S. City Kharar. It is vehemently arguments of APP for State that accused is habitual of committing offence and he be not released on bail. Since the offences committed by the applicant/accused are serious in nature and moreover, no logical/reasonable justification has been given as to why the present accused would be falsely implicated by the police, nor any prior enmity with the police officials have been brought forwarded. Hence, I am of the considered opinion that applicant/accused Amrit Singh is not entitled to be enlarged on bail. Accordingly, bail application filed on behalf of applicant/accused Amrit Singh is hereby dismissed.

Pronounced :
02.02.2023

Imanbir Singh Dhaliwal,
Sub Divisional Judicial Magistrate,
Kharar (PB00358)

Kuldeep Singh