

**IN THE COURT OF PARMINDER SINGH GREWAL,
ADDITIONAL SESSIONS JUDGE, MALERKOTLA. UID NO.PB0438**

CIS Regd.No.....BA734/2026
CNR No.PBSGF4002012-2026
Date of Order.....11.08.2026.

Mohammad Ilyas, aged about 20 years, son of Abbas Ali, resident of House No.1656, Ward No.19, Mohalla Berian Road, Islam Ganj, Tehsil and District Malerkotla (Now confined in Sub Jail, Malerkotla).

....Petitioner/Accused

Versus

State of Punjab.

....Respondent.

FIR No.98 dated 10.06.2026
under Sections 115(2), 126(2), 140(1), 140(2), 109(1),
191(3), 190, 61(2), 351(3) and 137(2) of the BNS, 2023
Police Station: Sadar Ahmedgarh.

**Petition under Section 483 of the BNSS, 2023 for releasing
the petitioner-accused on regular bail.**

Present: Mr. M.A.Shah, Advocate for the petitioner
Mr. Harkamalpreet Singh, Additional Public Prosecutor for
State assisted by ASI Bhinder Singh No.2512/Sgr.

ORDER:

1. This order of this court shall dispose of the present bail petition filed in case FIR No.98 dated 10.06.2026, under Sections 115(2), 126(2), 140(1), 140(2), 109(1), 191(3), 190, 61(2), 351(3) and 137(2) of the BNS, 2023, Police Station: Sadar Ahmedgarh for releasing the present petitioner on regular bail till the final decision of the case.

2. Ld. counsel for the petitioner has submitted that the present petitioner has not committed any offence and has been falsely implicated

Parminder Singh Grewal
Additional Sessions Judge,
Malerkotla, UID No.PB0438.

in the present FIR case by the police and even his name has not been mentioned in the FIR. He has submitted that no injury has been caused by the petitioner to the complainant and even no weapon has been shown to be in the hands of the complainant. He has further submitted that the petitioner has been falsely nominated in the present case on the basis of statement of the co-accused Kamal Kumar @ Komal Nabha. He has further submitted that the co-accused Kamal Kumar @ Komal Nabha was arrested by the police in some other case FIR i.e. 112 dated 26.06.2026, u/s 25/54/59 of Arms Act, PS Sadar Ahmedgarh and not in the present FIR No.98. He has further submitted that the police claims that the co-accused Kamal Kumar @ Komal made the disclosure statement in FIR No.112 dated 26.06.2026 under sections 25/54/59 of Arms act, PS Sadar Ahmedgarh, yet the record would reveal that the said co-accused was arrested by the police in the present FIR No. 98 dated 10.06.2026 U/Sec. 115(2), 126(2), 140(1), 140(2), 109(1), 191(3), 190, 61(2), 351(3), 137(2) of BNS, 2023, PS Sadar Ahmedgarh through production warrants only on dated 14.07.2026, despite the fact that both FIR No.112 dated 26.06.2026 and the present FIR No.98 dated 10.06.2026 pertain to Police Station Sadar Ahmedgarh and this circumstance seriously dents the credibility and genuineness of the prosecution version and raises substantial doubts regarding the manner in which the alleged disclosure statement came into existence and was relied upon to nominate the present petitioner. He has further submitted that the allegations of the prosecution are wholly false,

baseless and without any independent corroboration. He has further submitted that the petitioner has no concern or connection with the alleged Verna car as he is neither the registered owner thereof nor has the investigating agency collected any documentary evidence to establish his ownership, possession or use of the alleged vehicle. He has further argued that the entire case against the petitioner rests merely upon the disclosure statement of the co-accused, which by itself is inadmissible in evidence except to the limited extent permissible under law and cannot constitute substantive evidence for continued incarceration. He has further submitted that the presentation of challan and conclusion of trial will take long and no useful purpose would be served by keeping the petitioner behind the bars. He has, thus, prayed that the present bail petition may kindly be allowed.

3. On the other hand, Ld. Additional Public Prosecutor for State has submitted that the present petitioner alongwith his other accused had inflicted numerous injuries upon the complainant with intent to kill him and therefore, the present bail petition may kindly be dismissed.

4. This court has heard ld. counsel for the petitioner as well as ld. Additional Public Prosecutor for State and have perused the record of the present case with their able assistance.

5. This court is of the considered view that as per allegations levelled against the accused in the present FIR case, whereby, on the basis of statement of the complainant Mohammad Ismail, the present FIR case

has been registered against the accused persons. It has been alleged by the complainant that he has been living with his aunt Shamim resident of Nabha Road near Dharmakanda Faruki Enclave, Malerkotla for about 15 years. It has been further alleged that on dated 09.06.2026 at around 11:00 AM, the co-accused Numan Jhamma called him and asked to go to the courts and then, he went to the courts in Malerkotla on his scooter. It has been further alleged that he made the co-accused Numan Jhamma sit on the scooter and after that, they reached Satha Chowk, Malerkotla, where they smoked cigarettes and reached Ball Di Kothi, Khanna Road, Malerkotla after passing through 786 Chowk and they sat at Ball Di Kothi for about 10-15 minutes and came out. It has been further alleged that the co-accused Numan Jhamma asked him to bring water and cigarettes from the shop and then, he reached the grocery shop near the Rarwa Drain Bridge. It has been further alleged that then one i-20 white coloured car came towards him and five persons namely Simri, Shaan and one Rajasthani alongwith other unknown persons alighted from the said car and they were holding iron rods in their hands and the co-accused Simri hit him with an iron rod on his right shoulder and thereafter, everyone started hitting him with iron rods and the blows of rods hit on his both legs, arms and back and he raised alarm, "Marta-Marta" and thereafter, they started pushing him inside the car forcibly. It has been further alleged that the co-accused Shaan again hit him with his rod on his left leg and they all threw him in the car and tied/covered his eyes with the cloth and

started roaming around the villages in the aforesaid car in which, the complainant was forcibly kept after abducting him. It has been further alleged that thereafter, their car got punctured and then, they called another car, which came after about an hour and they were calling it as Verna Car. It has been further alleged that then they made him sit in that car and started beating him again with fist and slap blows and then they took him to a deserted place, where they were saying that they had reached the canal and then, they took him out of the vehicle and they opened the cloth from his eyes. It has been further alleged that thereafter, the co-accused Rajasthani came, who sat on his chest and again he started beating him with the rods and they were saying that his legs were not broken yet. It has been further alleged that apart from them, three or four other unknown persons came there, who also started beating him and they kept hitting him all over his body with the rods. It has been further alleged that when they started beating him, it was around 05:30 PM and the co-accused Simri took his aunt's phone number from him and called her and he told his aunt that Ismail Banbori was beaten and was thrown on the canal and to take him quietly. It has been further alleged that he said that they have left him today and they will not spare him in future and thereafter, his family members searched him and took him to the Civil Hospital, Malerkotla, where he was undergoing the treatment. It has been further alleged that the motive behind the occurrence was that about a year ago, his brother-in-law Subhan had a fight with the co-accused Simri

and they beat up the co-accused Simri and others, after which, a case of fight was registered against them at the P.S. City-I, Malerkotla and thereafter, he went to Malaysia and has been living in Malerkotla for about 5 months now and due to this reason, the co-accused Simri and others alongwith their associates have beaten him with an intention to kill him.

Furthermore, this Court is of the considered view that the name of the petitioner has cropped up during investigation as one of the co-accused, who has brought the aforesaid Verna car, when the initial car of the aforesaid co-accused was punctured and later on, the complainant was taken in the aforesaid Verna car of the petitioner after his aforesaid abduction and the petitioner is also alleged to have inflicted various injuries on the person of the complainant alongwith his other co-accused and thus, the present petitioner is not entitled to be released on regular bail in this case.

Furthermore, the arguments raised by the Learned counsel for the petitioner pertain to disputed question of facts, which can only be ascertained after completion of investigation and after leading of evidence during trial and thus, the same are not of any help to the petitioner at this preliminary stage of investigation qua the petitioner.

6. In view of the reasons discussed herein before and after keeping in view the gravity and seriousness of the alleged offences, the present bail petition filed by the petitioner for releasing on regular bail is

hereby dismissed.

7. The opinion expressed herein above shall not be construed as an expression of opinion on the respective merits of the case and the same shall be construed as the opinion expressed for deciding this bail petition only. Investigation record be returned. File be consigned to the record room.

Pronounced in Open Court.
Dated: 11.08.2026.

(Parminder Singh Grewal)
Additional Sessions Judge,
Malerkotla. UID No.PB0438

Jaswinder Singh, Stenographer Gr.-I