

IN THE COURT OF NARENDER SINGH, ADDITIONAL SESSIONS
JUDGE, JHAJJAR, UID No.HR-0221.

Bail application no.64 of 2020.
Date of Institution : 08.09.2020.
Registration No. BA-1015 of 2020.
CNR No.HRJR01-003361-2020.
Date of Order : 11.09.2020.

State of Haryana

Versus

Neeraj son of Sh.Bijender, resident of village Khungai, Tehsil and District
Jhajjar.

.....Applicant-accused.

FIR No.170 Dated 04.08.2020.
Under Sections: 387, 506, 420, 467, 468, 471, 201, 120-B IPC.
Police Station : City, Jhajjar.

**APPLICATION FOR REGULAR BAIL UNDER SECTION
439 CR.P.C.**

Present:- Sh. Devraj Chahar, Learned Counsel for applicant-
accused.
Sh.Karambir Rathi, Learned Public Prosecutor.

ORDER

The present bail application has been filed by the
applicant/accused Neeraj son of Sh.Bijender, resident of village Khungai,
Tehsil and District Jhajjar, Under Section 439 of Cr.P.C. for grant of bail,
pending trial, in case arising out of FIR No.170 Dated 04.08.2020, Under
Sections 387, 506, 420, 467, 468, 471, 201, 120-B of Indian Penal Code,
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1860, registered at Police Station City Jhajjar.

2. Briefly stated, the facts necessary for the disposal of the present bail application are that complainant Mukesh Kumar son of Sh.Shri Ram Popli resident of Radha Swami Colony, Jhajjar, presented a written complaint in police station inter-alia alleging therein that on 04.08.2020 at about 2.15 PM, he received a call from mobile no.9053232817 on his landline no.01251-253529, that the caller is Akshay brother of Sethi and if the amount of 20,00,000/- rupees is not arranged, he and his family members will be killed. On the basis of complaint of complainant, a case under Sections 387 and 506 of IPC was registered against the accused. During investigation, Sections 420, 467, 468, 471 of IPC were added against Mukesh son of Sh.Rajesh and Rajesh son of Sh.Ram Kishan, resident of Kharkhari, District Hisar. During further investigation, Sections 120-B and 201 of IPC were also added. Applicant-accused was arrested on 12.08.2020, on the basis of disclosure statement and since then, he is in custody. Hence, this bail application.

3. Notice of bail application was given to the State. Reply has been filed.

4. Arguments heard. File perused.

5. Having heard the arguments and perusal of the file; I am of the opinion that the applicant-accused deserves concession of bail. Co-accused Chirag had already been granted bail in this court vide order dated 08.09.2020. Applicant-accused is implicated in this case on the basis of

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disclosure statement of co-accused. It is not the case of prosecution that he extended the threat to the complainant. Investigating Officer has stated at bar that Sections 420, 467, 468, and 471 of IPC are not attracted against applicant-accused. It is admitted case that applicant-accused is a student of D-pharma. Applicant-accused has unblemished character prior to the registration of the case. Furthermore, due to the spread of COVID-19, the courts are working at snail pace, and the case is at the stage of investigation, so the trial would take long time and no useful purpose would be served by detaining the accused behind bars. The only apprehensions of prosecution that accused may flee from justice or make threaten the witnesses are not sufficient to decline the bail as there is no material to substantiate this fear of prosecution whereas for repelling these apprehensions of prosecution; conditions can be and are being imposed in the order. Hence, taking into consideration the totality of the facts and circumstances; **the present bail application is hereby allowed** and as such accused is admitted to bail on furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount, to the satisfaction of Learned Illaqa/Duty Magistrate/trial court, Jhajjar, subject to complying the following conditions:-

- i) that the applicant shall not commit an offence similar to the offence of which he is accused;
- ii) that the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence; and
- iii) that the applicant shall not leave India without the prior permission of the Court.

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6. Nothing observed herein above shall have any bearing on the merits of the case. Copy of this order be sent there. File of bail application be consigned to record room.

Pronounced in open court
11.09.2020.

(Narender Singh)
Additional Sessions Judge,
Jhajjar, UID No.HR-0221.

I attest to the accuracy and authenticity of the document.

Seema Rani, Stenographer Gr.I

Note:- All the four pages checked and signed by me.

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Present:- Sh. Devraj Chahar, Learned Counsel for applicant-
accused.
Sh.Karambir Rathi, Learned Public Prosecutor.

Reply of bail application filed. Arguments heard. To come up
for orders after lunch.

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Present:- Sh. Devraj Chahar, Learned Counsel for applicant-
accused.
Sh.Karambir Rathi, Learned Public Prosecutor.

File taken up after lunch. Order pronounced. Vide my separate
order of even date, present bail application is allowed. File of bail
application be consigned to record room.

Pronounced in open court
11.09.2020.

(Narender Singh)
Additional Sessions Judge,
Jhajjar, UID No.HR-0221.

I attest to the accuracy and authenticity of the document.
Seema Rani, Stenographer Gr.I

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