

UPMT010012302026



IN THE COURT OF SESSIONS JUDGE, MATHURA

Presiding Officer: Vikas Kumar - I, (H.J.S.)

Anticipatory Bail Application/537/2026

1. Pohap Singh S/o Surajpal

2. Veerpal S/o Late Rajan

Both are the R/o Village Sihana, P.S. Chhata, District Mathura

.....Accused/Applicants

Vs.

State of U.P. through D.G.C. (Crl.)

.....Opposite Party

Case Crime No. - 16/2026

U/Ss - 191(2), 191(3), 115(2), 352,

109, 118(1), 131 B.N.S.

P.S. - Chhata, Mathura

1. The Anticipatory Bail Application is moved by accused/applicants Pohap Singh & Veerpal under Section 482 B.N.S.S. in connection with Case Crime No. - 16/2026, under Sections 191(2), 191(3), 115(2), 352, 109, 118(1), 131 B.N.S., P.S. Chhata, District Mathura. Their own affidavits have been attached separately with the bail application.

2. According to prosecution case, an F.I.R. was lodged by the Informant Vijaypal @ Rinku alleging that on 11.01.2026 at about 8.00 p.m., at Village Sihana, P.S. Chhata, District Mathura, accused Pohap Singh & Veerpal along with co-accused (including 4-5 unknown persons) assembled at spot with sticks, farsa, countrymade pistol etc. and attacked Informant and his family members with sticks, kicks & punches and caused grievous injuries to them. It is further stated that co-accused opened fire on Informant's cousin Pankaj due to which Pankaj got firearm injury at his right hand and another co-accused Neeru also opened aerial firing with Pauna and they hurled swearwords on Informant and his family members. During the said incident took place, Informant's Mobile i.e. Vivo disappeared somewhere.

On the information mentioned above given by the Informant, the said case was registered against accused/applicants Pohap Singh & Veerpal and other co-accused persons (including 4-5 unknown accused persons).

3. Emphasizing on the anticipatory bail application and the affidavits attached with it on behalf of the accused/applicants, it has been mainly asserted by the Ld. Counsel that the applicant/accused is innocent and falsely implicated in the instant case and the allegations levelled in the F.I.R. are baseless, fabricated. That the prosecution story is false and fabricated and the case has been registered in connivance with the police and doctors. That the Informant had got a fake medical report prepared and got it registered under the above sections but other medical reports do not match with the incident. The fact is that on 11.01.2026, applicant/accused Neeraj @ Neeru's younger sister Chanchal, aged about 18 years, was alone at home, then Informant Vijaypal @ Rinku, Pankaj, and Mohit, attempted to molest her. During the incident occurred, the Informant's phone disappeared somewhere in Chanchal's room. That on hearing Chanchal's screaming, the applicants/accused and other family members rescued Chanchal from aforesaid persons. Thereafter, they called their family members and attacked applicant/accused's house with bricks, stones, sticks, rods, and opened fire, a video recording of which is also available. That the Informant registered the false and fabricated case in connivance with the police and they prevented the

Applicants/accused from registering F.I.R. regarding the incident took place with Chanchal. That by using their political influence, despite an application submitted to the S.S.P., Mathura on 12.01.2026, no action has been taken against Informant etc. till date. That there is no independent witness of the said incident. That the applicant Pohap Singh has no Criminal history and applicant Veerpal has criminal history but they have not been convicted in any case previously. That none of the alleged offences carries a punishment of more than 7 years and is triable by the Magistrate Court. That the applicants undertake to abide by any conditions imposed by this Hon'ble Court and assure their full cooperation during the further proceedings. That apart from this no other anticipatory bail application has been moved before any Court & Hon'ble High Court nor is it pending or rejected. Hence, prayer is made that anticipatory bail be granted to the applicants/accused.

4. Heard the Ld. Counsel for the applicant/accused and the Ld. D.G.C. (Crl.) and perused the case diary, report and record of the concerned police station.

5. Ld. Counsel for the applicants has mainly submitted his arguments in the light of averments made in the aforesaid Anticipatory Bail Application and affidavits attached with it. It is further submitted that applicants/accused are innocent and Informant registered the said F.I.R. against them in connivance with Police of P.S. Concerned on the basis of false and fabricated story. That there is no recovery of any weapon or incriminating material from the accused. The contents of F.I.R. are highly exaggerated and no specific overt act has been assigned to accused. That victims did not suffer from any grievous injuries. In case, applicants are released on anticipatory bail, they will not misuse the liberty of said bail and will cooperate in the trial.

6. The Ld. D.G.C. (Crl.), while opposing the anticipatory bail application, mainly argued that the accused persons including the present applicants, along with other co-accused and 4-5 unknown persons, formed an unlawful assembly and came on the spot with sticks, farsa and country-made pistol etc. and assaulted the informant and his family members mercilessly sticks, kicks and punches, causing grievous injuries to them. It is further alleged that co-accused opened fire on the informant's cousin Pankaj, resulting in firearm injury on his right hand, and another co-accused made aerial firing. It is further submitted that during the course of the incident, the accused persons used abusive language and criminal intimidation, and the mobile phone of the informant (Vivo) also went missing, which indicates the violent and unlawful conduct of the accused persons. Learned D.G.C. further contended that the specific role has been assigned to the applicants in the F.I.R. and they were active participants in committed the offence. Their presence and participation are clearly reflected in the prosecution version. That the offences alleged are serious and grave in nature involving use of deadly weapons etc. Therefore, considering the seriousness of the allegations, active participation of the applicants, and the stage of investigation, the present anticipatory bail application deserves to be rejected. That in the instant case, regular bail has been granted to the co-accused.

7. From the perusal of the F.I.R., it transpires that the applicants along with other co-accused persons allegedly formed an unlawful assembly and attacked the informant and his family members with sticks and other weapons, and firearm was also used during the incident. The allegations against the applicants disclose their active participation in the occurrence. Investigation is still pending against the applicants/accused.

Upon considering all the facts and circumstances of the instant case, this Court does not find it a fit case to exercise discretionary jurisdiction under Section 482 B.N.S.S. Accordingly, Anticipatory Bail is hereby rejected.

Date: 10.03.2026

Virendra Tripathi

Steno

(Vikas Kumar - I)
Sessions Judge, Mathura
I.D.No. U.P. 1910