

IN THE COURT OF HARISH ANAND
ADDITIONAL SESSIONS JUDGE
SHAHEED BHAGAT SINGH NAGAR
(UID NO.PB-0139)

Registration No.BA/181/2026
CNR No.PBSB01-000613-2026
Decided on 17.02.2026

Shiva Nand Jha aged about 20 years S/o Lakshmi Jha R/o village Prem
Nagar, PO Asron, PS Kathgarh, Tehsil Balachaur, District SBS Nagar.

... Applicant

Versus

State of Punjab

...Respondent

F.I.R. No.121 dated 06.09.2025
Under Section:192, 196, 352, 353(2), 351(2), 299, 61(2) of
BNS 2023 & 67 of IT Act.
Police Station: Kathgarh, District SBS Nagar.

**** First Regular Bail application under Section 483 BNSS ****

Present: Sh. Ajay Kumar Lucky Advocate counsel for the accused
Sh. Tejvir Singh, Ld Addl PP for the State.

ORDER:

1. The applicant/accused has filed the instant application under
Section 483 of BNSS for grant of regular bail.

2. Notice of bail application was given to the State pursuant
thereto, learned Public Prosecutor appeared on behalf of the State. Record has

been requisitioned.

3. The FIR was registered on the basis of complaint moved by Sikander Singh, Sarpanch of village Rail Majra in which he stated that on 05.09.2025 one video was made viral on social media in which Surjit Kumar S/o Mohan Gupta, Shiv Kumar S/o Lachmi Jha, Anubhav S/o Ram Kumar, Anuj S/o Rahul Mane and Ashu S/o late Harjinder Singh along with two-three unidentified persons residents of Prem Nagar, PS Kathgarh, District SBS Nagar were making video with mobile. In the said viral video, above named persons were using very abusive, offensive and unbearable language targeting Punjab State, Religion, Language and village Rail Majara due to which there is apprehension of breach of peace and spread of violence in the society, consequently, present FIR was registered.

4. It has been contended that the applicant-accused is innocent and has committed no offence. The accused has no role whatsoever in the alleged occurrence. The FIR itself is based merely on a viral video, without any specific overt act attributed to the accused. No material has been brought on record to establish that the accused had participated in making, uploading, or circulating the said video. The challan has already been presented before the trial Court at Balachaur and the conclusion of trial would take sufficient time. He is in custody since 31.01.2026 and no useful purpose would be served by keeping applicant behind the bars and as such he is entitled to release on regular bail.

5. On the other hand, learned Addl. PP for the State has contended that there are serious allegations against the applicant. The allegations in the FIR clearly reveal that the accused, along with his associates, was involved in making and circulating the offensive video which contains highly abusive and derogatory language. Such deliberate acts are aimed at creating communal tension, disturbing harmony, and causing breach of peace in the society. There is every likelihood that if the applicant released on bail at this stage, he may influence, intimidate, or win over the prosecution witnesses, which would hamper the fair course of investigation and trial. As such, the applicant is not entitled to seek bail.

6. I have considered the respective contentions of the learned Addl PP for the State as well as the learned arguing counsel for the accused and have gone through the police file.

7. From the material collected during investigation and the allegations in the FIR, it is prima facie revealed that the applicant/accused has played active role in the entire occurrence. He is prima facie participant in the occurrence, who orchestrated the act of recording and circulating the offensive video in concert with other co-accused. In case applicant-accused is released on bail at this stage, he may influence prosecution witnesses, tamper with evidence, and obstruct the course of trial. Accordingly, the present

application is hereby dismissed. Police record be returned and bail file be
consigned to record room.

PRONOUNCED
February 17, 2025

Sahil Mahajan

HARISH ANAND
Additional Sessions Judge
Shaheed Bhagat Singh Nagar
UID No.PB0139