

CNR No. PBPTA1-002544-2024

Rahul Kumar Vs. State of Punjab BA-174-2024

Present: Sh.Harjot Singh, Advocate for the applicant/accused Rahul Kumar.
Sh. Rupinder Singh, Addl. Public Prosecutor for the State.

Heard on the application moved by the learned counsel for the applicant/accused Rahul Kumar for bail in case F.I.R. No.131 dated 12.07.2024, under Sections 308 (4), 351(3), 61(2) BNS and Section 25/54/59 Arms Act, Police Station City Rajpura, District Patiala.

2. It is stated in the application that applicant/accused was arrested by the police of police Station City Rajpura and since the day of his arrest he is in custody. The police has falsely implicated the accused/applicant in the above said case at the instance of complainant. No prima facie evidence has been found to lodge the present FIR against the present applicant/accused. Applicant/accused is an innocent person and has not committed any such offence. Nothing has been recovered from the accused/applicant and nothing is to be recovered from the accused/applicant. No useful purpose will be served by keeping accused/applicant in judicial custody as presentation of challan and conclusion of trial will take long time. Applicant/accused will abide by all the terms and conditions if any imposed by this court while granting the concession of bail. Lastly prayer has been made to allow the present bail application.

3. In reply to bail application Learned Addl. Public Prosecutor for the state vehemently opposed the bail application by stating that there

are serious allegation against the accused/applicant of committing offence under Sections 308 (4), 351(3), 61(2) BNS and Section 25/54/59 Arms Act and as such, accused/applicant do not deserve for the concession of bail and requested that the bail application may kindly be dismissed.

4. Record received and perused.

5. Briefly, there are serious allegations of accused being involved in extortion calls from a gang lead by Goldy Dhillon. It is observed that such like crimes are on the rise in State of Punjab. Strong claims are being made every other day by the law enforcing agencies that every possible step or measure is being taken to keep a tap on such like crimes and protect citizens from being threatened by mischievous elements residing abroad. Despite these claims such like crimes are being reported/noticed every other day from almost every corner of the State. There is strong likelihood that accused if released on bail would again threaten not only complainant, material witnesses but other innocent citizens of State which would ultimately lead to an adverse effect on pending investigation of this case as well as innocent people residing in this region. In order to ensure that the investigation remains on a right track and its conclusion in a fair manner and witnesses also depose without fear, I do not find any convincing reason to enlarge accused person on bail. Hence in view of discussion made above, present bail application stands dismissed. Papers be tagged with the remand papers.

Pronounced in open court
Dated: 13.08.2024

Rajinder Kumar-Stenographer Gr-II

Hirdejit Singh, PCS
Sub Divisional Judicial Magistrate,
Rajpura (PB00328)