

Raj Kumar @ Raja Vs State of Punjab

FIR No.100 dated 07.09.2024

Under Section 305/331(4)/317(2)/238 BNS.

Police Station Gidderbaha.

Present:- Sh. Rajesh Kumar, Ld. APP for the State.
Sh. Mandeep Sharma, Advocate counsel for
accused/applicant Raj Kumar @ Raja.

ASI Sarabjeet Singh investigating officer suffered a statement that he is the Investigating Officer of the present case. Arrest of accused Raj Kumar @ Raja has not been stayed by any Court. Offence under Section 317(2) BNS has been added later on in the present case vide DDR No.30 dated 09.09.2024. Offence under Section 238(c) BNS added later on vide Rapat No.35 dated 23.01.2025. No bail application of accused Raj Kumar @ Raja is pending before Hon'ble High Court as well as before Hon'ble Sessions Court. The present bail application is the second bail application of the accused Raj Kumar @ Raja. The accused was declared proclaimed person on 06.03.2026. The accused was surrender in the court on 11.05.2026.

Arguments on bail application, heard. Ld. APP for the State did not opt to file the reply of the application, but he orally contested the same. Ld. counsel for the accused/applicant Raj Kumar @ Raja submitted that the accused/applicant was absent from the proceedings on 11.09.2025 due to his illness. The absence of the accused was not intentional but due to the fact. He is innocent and has not committed any offence. He has been falsely implicated in the present case. Respectables of the area are ready to stand surety of the accused/applicant. Now the accused has learnt lesson from his mistake. Therefore the accused may kindly be released on bail. The accused is undertake to comply with all the conditions imposed by this court.

Per contra, Ld. APP for the State vehemently opposed the averments of the application and submissions so made by the Ld. counsel for the accused/applicants and submitted that accused/applicants are not entitled to the relief of bail because they have violated the conditions of

bail. In last, prayed for dismissal of the application.

Case file has been minutely perused and perusal of the same reveals that accused/applicant Raj Kumar @ Raja was absent from the proceedings on 11.09.2025 and he was declared proclaimed person on 06.03.2026. Thereafter accused surrendered before the court on 11.05.2026. No doubt the accused has violated the conditions of earlier bail granted to him. But he himself surrender before this court which shows his bonafide conduct. This court is of the view that the accused cannot kept behind bars for indefinite period. This court is of the view that now the accused will have learnt lesson from his mistake. Challan has already been presented. Moreover, the jail is exception and bail is rule. Therefore, accused/applicant Raj Kumar @ Raju is admitted to bail on furnishing bail bonds for a sum of Rs.50,000/- with one surety of the like amount, subject to the conditions as following:

1. That he will not leave the country without permission of the court.
2. That he will not temper with the prosecution evidence.
3. That he will not give any threat directly or indirectly to any witness involved in the present case.
4. That he will appear in the court on each and every date of hearing.
5. That the accused will not commit the offence of same nature during the pendency of trial.

It is made clear that any observation made during disposal of the bail application would not be effect the merits of the case. Accused is directed to remain careful in future. Bail bonds and surety bonds not furnished, which are accepted and attested. Papers be tagged with main file.

Date of Order
06.06.2026

(Munish Garg)
(Stenographer – II)

(Taranjeet Singh Simra)
UID Code:- PB-0417
SDJM/Gidderbaha.