In the Court of Nirbhow Singh Gill, Sessions Judge, Jalandhar.

CIS No. BA-1628/2024.
CNR No.PBJL010050962024.
Date of Institution:5.4.2024.
Date of Decision:9.4.2024.

Sandeep Singh, aged 24 years, son of Gurdeep Singh, R/o V.P.O.Malri, Tehsil Nakodar, Distt.Jalandhar.

….Petitioner.

Versus.

State of Punjab. ….Respondent.

FIR No.20 dated 21.2.2024,
Under Sections 386, 506, 34 IPC,
Police Station City Nakodar, Distt.Jalandhar.

Petition under Section 439 Cr.P.C.

Present: Sh.Sanjive Bansal, Adv. counsel for petitioner.
Sh.Manoj Kumar, Addl. Public Prosecutor for the State.

ORDER

1. The present petition has been filed by the petitioner Sandeep Singh, for grant of regular bail in case FIR No.20 dated 21.2.2024, under sections 386, 506, 34 IPC, registered at Police Station City Nakodar, Distt.Jalandhar.

2. Learned counsel for the petitioner has submitted that at first instance the FIR was got registered by father of the petitioner by alleging that he had received a telephonic call, in which amount of Rs.5 lacs has been demanded by the caller and it was stated that they have kidnapped the present petitioner and he will be released only in case the amount is

paid. However, it is alleged by the prosecution that lateron during investigation it was found that the said call was got made by the present petitioner from his friends in order to extract money from his own father. He further submitted that the petitioner is in custody since 22.2.2024 and the case is triable by the Court of learned Magistrate, which is not likely to be concluded soon. Infact the police has falsely implicated the present petitioner instead of tracing out the real culprits. Thus, the petitioner may be released on regular bail.

3. On the other hand, learned Addl.Public Prosecutor for the State has submitted that though at the first instance the FIR was got registered by father of the present petitioner alleging that he has received a telephonic call that his son has been kidnapped and the caller demanded Rs.5 lacs for setting his son free, but lateron during investigation it has come into light that infact the present petitioner alongwith his co-accused had concocted story of his kidnapping in order to extract money from his own father. Thus, keeping in view the serious nature of allegations, the petitioner is not entitled to be released on regular bail.

4. I have heard the learned counsel for the petitioner, learned Addl.Public Prosecutor for the State and have also gone through the record of the case. It is not disputed that the FIR has been got registered by father of the petitioner. It is the case of the petitioner that infact he was kidnapped, but lateron he has been falsely implicated in the present case, whereas the case of the prosecution is that the present petitioner alongwith his friends only enacted a drama of his kidnapping so as to extract money from his own father. This fact can only be adjudicated during the trial of

the case. It is also not disputed that the petitioner is in custody for the last about one and half month and the case is triable by the court of learned Magistrate, which is not likely to be concluded soon. No useful purpose will be served by keeping the petitioner behind the bar. There is nothing on the record from which inference can be drawn that petitioner will abscond or tamper with the evidence. Thus, keeping in view above, without commenting on the merits of the case, petitioner is directed to be released on regular bail on his 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. This bail application is disposed of accordingly. File of this bail application be consigned to Record Room.

Pronounced in open Court:
Dated:9.4.2024.

(Nirbhow Singh Gill)
Sessions Judge,
Jalandhar.
UID No.PB0056

Makhan Singh, EA

MAKHAN SINGH
" I attest the accuracy and authenticity of this document."
MAKHAN SINGH
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