

**In the Court of Suresh Kumar,
Judicial Magistrate - Ist Class, Bholath
(UID No.PB0481)**

CNR No. PBKPC10000142025



Case No. BA/2/2025

Presented on : 07-01-2025

Registered on : 07-01-2025

Decided on : 08-01-2025

FIR No.52 dated 21.08.2024

U/s 420,406 IPC

13 of Punjab Travel Professional (Regulation) Act, 2014

P.S. Bholath, District Kapurthala.

Present: Sh. R.S. Bawa, Adv. counsel for accused/applicant
Rajinder Kumar @ Jinder.
Sh. Anuj Kumar, Id. APP for the State.

Heard on the application for granting bail to the accused/applicant. Counsel for the applicant/accused argued on the lines of application submitting that the police of PS Bholath, Kapurthala has registered the above noted case against the accused/applicant although he has not committed any alleged offence as he is innocent. He is in judicial custody since 03.11.2024. The accused/applicant has not cheated the complainant nor the applicant is working as a travel agent. He has not received any amount from the complainant but on false facts, the present FIR has been registered. Moreover, the investigation has already been completed and the challan has been presented in this case. The conclusion of the trial will take long time and no useful purpose will be served by detaining the accused behind the bar. There is no direct or indirect evidence against the accused/applicant to connect him with the commission of alleged crime. With these submissions, he prayed for bail of the accused/applicant.

2. On the other hand, Ld. APP for the State opposed the contentions raised by the Counsel for the accused/applicant and argued that applicant/accused has committed serious offences, he has been rightly implicated. As such, he prayed for the dismissal of the bail application.

3. Report of the concerned Ahlmad is also called and as per his report, as per record of official website of Hon'ble High Court and as per record of CIS, no other bail application of the accused/applicant is pending nor decided by any other learned Court.

4. I have heard the rival contentions of the Ld. APP for the State and Ld. Defence counsel and gone through the documents available on file.

5. Perusal of the file reveals that the FIR was registered on the statement of complainant Bobby Chand with the allegations that accused travel agent Rajinder Kumar @ Jinder, his sister Rajni, and her husband Ashwani Kumar has committed fraud. They allegedly took ₹7 lakh to send his 19-year-old son Sagar to Finland but instead sent him to Russia and later to Germany through dangerous routes. Sagar last contacted his family in February 2024 from a border crossing and has since been missing, with reports suggesting he may have died. Accused Rajinder Kumar @ Jinder claims that Sagar was in a Latvian camp, rumors from fellow travelers suggest he might have died in the snow. Despite Rajinder Kumar @ Jinder's arrest in November 2024, he has provided no information about Sagar's whereabouts and accused Rajinder Kumar @ Jinder remains uncooperative.

7. Allegations and counter-allegations are matter of evidence under trial and whether accused committed the alleged offences or not is also going to be decided after conclusion of trial. Nothing is to be

recovered from him. He is already in custody since 03.11.2024. Whether applicant has committed the alleged offence, is matter of evidence and trial. Investigation is complete against the applicant/accused and the challan has already been presented. Conclusion of trial will take sufficient time. Therefore, keeping the accused behind the bar will not serve any purpose. So, keeping in view the facts and circumstances stated above, the accused/applicant is ordered to be released on bail on furnishing bail bonds in the sum of Rs.50,000/- with one surety of the like amount, subject to the conditions:-

1. That applicant shall appear before the court on each and every date of hearing and in case he fails to do so, bail can be cancelled;
2. That he shall not commit any such similar offence in the future;
3. That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the court or to any Police officer;
4. That the applicant shall not leave India without the previous permission of the court.

Bail bonds and surety bonds not furnished. Papers be attached with the main file. Copy of this order be send to concerned Superintendent Jail by way of E-mail/fax immediately, to inform that bail application of applicant/accused has been allowed.

Pronounced in open Court.

Date of Order: 08.01.2025

Sumant

(Suresh Kumar)
Judicial Magistrate First Class
Bholath, UID NO . PB00481

This order contains 04 pages and every page has been signed by under-signed.

(Suresh Kumar)
Judicial Magistrate First Class
Bholath, UID NO . PB00481

