

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Bail App No. 188/2026
CrIM No. 1736/2026

Riaz Hussain

.....Appellant(s)/Petitioner(s)

Through: Mr. Rupak Ratta, Advocate and
Mr. Ashfaq Ahmed Khan, Advocate.

vs

UT of J&K and another

..... Respondent(s)

Through: Ms. Tejaswani Anand, Advocate vice
Mr. Bhanu Jasrotia, GA.

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER
25.09.2026

1. Through the medium of present petition, the petitioner has sought bail in anticipation of his arrest in FIR No. 378/2026 for offences under Sections 332(c), 74, 351(2) of BNS, 2023 registered with Police Station, Rajouri.
2. As per the prosecution case, on 16.07.2026, respondent No. 2 filed a written report with the Police alleging therein that he is working as a Moulvi in a Masjid situated near Degree College, Rajouri. It was further stated that minor daughter of the complainant is a victim in FIR No. 346/2025 for offences under Sections 78, 351(2), 65(1) of BNS and Section 4(2) of the POCSO Act registered with Police Station, Rajouri against accused-Prabjot Singh and charge-sheet has been presented before the Sessions Court, Rajouri. In the said FIR, it was alleged that Mohd. Riaz along with one Shafqat Ali are continuously threatening, harassing and intimidating the complainant and his

daughter. It was also alleged that during December, 2025 and again in April, 2026, the petitioner and co-accused entered the residence of complainant in his absence and threatened his daughter with dire consequences if she fail to depose in favour of the accused-Prabjot Singh in the pending criminal case. Co-accused-Shafqat Ali Shah is stated to have threatened the daughter of the complainant that if she did not make a favourable statement, he would run his vehicle over her father and other family members. It was further alleged that as a consequence of these threats, daughter of the complainant has suffered severe mental agony and emotional distress. According to the complainant, co-accused Shafqat Ali Shah is a close friend of Prabjot Singh and that he along with the petitioner intends to eliminate the complainant and his family members. It was also alleged that the accused has spread false propaganda against the complainant and his daughter. On occasion, co-accused Shafqat Ali Shah touched his daughter with ill intention and sought sexual favours from her. It has further been alleged that the petitioner who claims to be a journalist has actively intimidated the complainant and his daughter and that they are influencing the pending trial by blackmailing and disseminating false information. It has been alleged in the complaint that the petitioner has circulated his AI generated video on social media where he is seen making false and fabricated allegations to the effect that he has received a sum of Rs. 03.00 Lacs but still he is not making his daughter to depose in favour of accused-Prabjot Singh. It has also been contended that the petitioner by disclosing name of the

victim of an offence under POCSO Act has violated Section 23 of POCSO Act as also Section 74 of BNS.

3. It appears that the petitioner had approached the court of learned Principal Sessions Judge, Rajouri for grant of anticipatory bail but his bail application came to be dismissed by the learned Sessions Judge in terms of order dated 06.08.2026. While dismissing the bail application of the petitioner, the learned Sessions Judge has observed that having regard to the nature of allegations levelled against the petitioner, chances of his tampering with the witnesses cannot be ruled out.
4. The petitioner has sought the bail on the grounds that he is a renowned journalist and it is on the basis of his efforts that FIR No. 346/2025 came to be registered against accused Prabjot Singh, who is alleged to have exploited the daughter of the complainant. It has been contended that a concocted story has been projected by the complainant. It is being contended that it has been established from the statement of the complainant that money has changed hands between him and the accused. According to the petitioner, the complainant in order to hide his misdeeds, has lodged the FIR against the petitioner by making false and frivolous allegations against him.
5. Respondent No. 1 has filed objections to the bail application. In the objections, besides narrating the allegations made in the FIR, it has been submitted that the accused persons are absconding and efforts to trace and apprehend them are continuing. It has been contended that the petitioner does not deserve concession of bail as his release may

adversely affect fair course of of investigation and it may enable him to influence and intimidate the minor victim girl and other witnesses.

6. **I have heard learned counsel for the parties and perused record of the case.**

7. The allegation against the petitioner is that he has tried to influence and intimidate the minor girl and her father so as to coerce them to make statements favourable to the accused Prabjot Singh, who is facing trial in a case arising out of FIR No. 346/2025 for offences under Sections 78, 351(2), 65(1) of BNS and Section 4(2) of the POCSO Act registered with Police Station, Rajouri. It is also alleged that the petitioner has disclosed the name of the victim of aforesaid case thereby contravening the provisions contained in Section 23 of POCSO Act.

8. So far as the apprehension of the Investigating Agency with regard to tampering of prosecution witnesses by the petitioner in the case arising out of FIR No. 346/2025 of Police Station, Rajouri is concerned, the same does not appear to be well founded because statement of the complainant has already been recorded by the court of learned Sessions Judge, Rajouri. The petitioner has also placed on record a certified true copy of the statement made by the victim of the aforesaid FIR before the learned Sessions Judge. Thus, even if the petitioner is enlarged on bail, there is no chance of his influencing the victim or her father, as both of them have already deposed before the trial court.

9. Having regard to the nature of allegations levelled against the petitioner, his custodial interrogation in furtherance of the

investigation of the case may not be necessary. Therefore, a case for grant of bail in anticipation of arrest of the petitioner is made out.

10. Accordingly, the instant bail application is allowed and it is directed that in the event of arrest of the petitioner in connection to FIR No. 378/2026 registered with Police Station, Rajouri, he shall be released on bail, subject to the following conditions:

- i.** That he shall furnish bail bond with one surety in the amount of Rs. 50,000/- to the satisfaction of the Investigating Officer.
- ii.** That he shall cooperate with the Investigating Agency and shall present himself before the Investigating Officer as and when directed.
- iii.** That he shall not tamper with the prosecution witnesses.
- iv.** That he shall not leave the limits of Union Territory of J&K without prior permission of the Investigating Officer.

11. Petition stands disposed of.

(SANJAY DHAR)
JUDGE

Jammu
25.09.2026
Sakil Padha