

204 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH

CRM-M-40047-2020
Date of Decision : 01.04.2021

Rajnish Kumar @ Preet Phagwara

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Divjyot Singh Sandhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 90 dated 12.07.2017 under Sections 307, 365, 368, 323, 506, 148, 148 and 120-B of the IPC; Section 25 of the Arms Act, 1959 and Sections 66F and 67 of the Information Technology Act, 2000 registered at Police Station Division No.6, Jalandhar, District Jalandhar, Punjab .

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant-Beant Singh Brar, it is stated that he received a call from a lady named Maniksha Sharma, who called him to reach at Jalandhar bus stand to receive her and when complainant went there, he was forcibly abducted in a car by putting a cloth on his eyes and was taken out of the city in a deserted place, where they opened his eyes; removed his clothes and started beating him and in that process, they prepared a video in which he was shown nude.

Learned counsel for the petitioner further submits that the petitioner is in long custody and it will take a long time in conclusion of the trial.

Reply by way of affidavit of Assistant Commissioner of Police, Model Town, Jalandhar is filed in Court, in which it is stated that FIR was initially registered against aforesaid Maniksha Sharma, Panchamnoor, Raj Kumar @ Raja Pahadia, Vishal Sharma @ Jaggi Ropar and Rajnish @ Preet Phagwara i.e. petitioner, however, during investigation, the police recorded the statements and found that all the accused, in conspiracy to each other, have kidnapped the victim, where they prepared his video and posted it on social media platforms i.e. Facebook, Youtube and Whatsapp. It is also stated that in the disclosure of co-accused, the active participation of the petitioner has surfaced. It is further stated in the affidavit that the petitioner is involved in as many as 07 more cases of serious nature, the detail of which is attached as Annexure R-2/T.

Learned counsel for the petitioner further submits that the petitioner is on bail in some of the aforesaid cases registered against him.

Without commenting on the merits of the case and considering the antecedents of the petitioner and also in view of serious allegations against him, I find no ground to grant him concession of regular bail.

Accordingly, the present petition is dismissed.

01.04.2021

Waseem/Chetan

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No