

**In the Court of Shri Darbari Lal, Additional Sessions
Judge, Amritsar. UID No.PB0087**

Bail application No. : 3077
CNR Number : PBAS01-009441-2023.
Date of Institution : 31.5.2023.
Date of Order : 3.6.2023.

State Vs. Gurpreet Singh son of Joginder Singh,
resident of village Bhindi Saidan, District
Amritsar.

.....Accused/applicant.

FIR No.29 dated 22.5.2023
Under Sections 363 and 366-A of Indian
Penal Code.
P.S. Bhindi Saidan, Amritsar.

**Ist bail application under Section 438 of Criminal Procedure
Code.**

Present: Sh.M.S.Gulati Advocate, counsel for the accused-
applicant.
Smt.Anju Sharma, Addl.PP for the State.

ORDER

1. Present bail application has been moved on behalf of the accused-applicant under section 438 of Criminal Procedure Code in case FIR No.29 dated 22.5.2023, under Sections 363 and 366-A of Indian Penal Code, registered with Police Station Bhindi Saidan, Amritsar.
2. Notice of the bail application was issued to the prosecution and Smt.Anju Sharma Addl. P.P. for the State has appeared on behalf of State.
3. I have heard arguments of the learned counsel for the accused-applicant and the learned Addl. PP for the State.

4. The learned counsel for the accused-applicant contended that the accused-applicant is innocent and has been falsely implicated in the present case. Whereas, he has not committed any offence. There is unexplained delay of nine days in registration of FIR. Nothing is to be recovered from his possession. He is ready to join the investigation as and when required by the police. He lastly prayed that accused-applicant may kindly be granted anticipatory bail.

5. On the other hand, learned Addl. PP for the State strongly opposed the bail application of the accused-applicant and prayed for dismissal of the same.

6. Having heard both sides, I have gone through the record. Perusal of the file reveals that the present case has been registered against the accused-applicant on the basis of statement of S. Singh father of the victim who in his statement stated that he is a labourer by profession. He is having three daughters and two sons. Eldest daughter is R. Kaur aged about 27 years, younger to her is son J. Singh aged about 25 years, younger to him is daughter S. Kaur aged about 23 years, younger to her is daughter A. Kaur aged about 16 years and youngest one is son K. Singh aged about 14 years. His daughter A. Kaur is studying in Government Senior Secondary School, Bhindi Saidan and she gave exams of 10th class in March, 2023. Gurpreet Singh son of Joginder Singh of their village used to tease his daughter A. Kaur while going and coming from the school. They complained against him but he told them that

he has to get perform marriage with their daughter. On 13.5.2023 at about 10:00 PM, they all family members slept after taking meal. On 14.5.2023 at about 6:00 AM, he woke up and saw that his daughter A. Kaur was not present on her cot. He alongwith his family members tried to search his daughter from neighbourhood but could not trace her. It came to his notice that Gurpreet Singh son of Joginder Singh has enticed away his daughter on the pretext to marry her.

7. Perusal of the file further reveals that the victim has not been recovered in this case and the accused-applicant is already involved in another case bearing FIR No.100 of 2021 at Police Station Bhindi Saidan, under Section 376 of Indian Penal Code. There are serious and specific allegations against the accused-applicant qua the kidnapping of daughter of the complainant. The victim is yet to be recovered from the possession of the accused-applicant. For this purpose, his custodial interrogation is required.

8. So, keeping in view the facts and circumstances of this case, this court is of the considered view that the accused-applicant does not deserve for concession of anticipatory bail. As such, his bail application is hereby dismissed. File of bail application be consigned to the record room.

Pronounced in the open Court
3.6.2023

Rakesh Kumar
(Stenographer Gr.I)

(Darbari Lal),
Additional Sessions Judge,
Amritsar.
(UID no.PB0087)

State Vs. Gurpreet Singh**BA No.3077/2023**

Present: Sh.M.S.Gulati Advocate, counsel for the accused-applicant.
Smt.Anju Sharma, Addl.PP for the State.

As per report of Ahlmad of this Court, no bail application qua this accused in this FIR is pending/decided as per website of the Hon'ble Punjab and Haryana High Court, Chandigarh.

Police record received and perused. Arguments heard.
Vide my separate order of even date, present bail application is dismissed. Police record be returned forthwith. File of bail application be consigned to the record room.

Pronounced in the open Court
3.6.2023
Rakesh Kumar
(Stenographer Gr.I)

(Darbari Lal),
Additional Sessions Judge,
Amritsar.
(UID no.PB0087)