

**IN THE COURT OF SH. BARJINDER PAL SINGH,
ADDITIONAL SESSIONS JUDGE / FAST TRACK SPECIAL
COURT UNDER THE POCSO ACT, LUDHIANA
(UID NO. PB-0185).**

CNR No.PBLD-0101-3277-2026
CIS No. BA /5265/2026

Decided on: 06.07.2026

State of Punjab

Versus

Rajat son of Chanderpai, r/o Vera Street No.1, New Vijay Nagar, Bihari Colony, Haibowal Kalan, P.S. Haibowal, Ludhiana.

..... (Applicant/Accused).

FIR No.32 dated 08.06.2025.
U/s: 65(1), 76, 137(1)(B) BNS & 4,8,12,18 POCSO Act.
Police Station: GRP, Ludhiana.

Bail Application Under Section 483 B.N.S.S.

Present : Sh. N.K. Aadia, Adv counsel for applicant/accused
Ms. Manjinder Kaur, Special PP for the State.

ORDER:

This order of mine shall dispose off first bail application u/s **483 of B.N.S.S.** filed by the applicant/accused seeking regular bail.

2. Notice of the bail application was given to State upon which Ld. Special P.P has appeared and contested the bail application.

3. Brief facts of the case are that the present FIR was registered at the instance and on the statement of complainant Reena Devi wife of Ajit Sahni residing as tenant at Manjit Singh Da Vehra, Shiv Mandir Street No.7, Sunil Nagar, Peahalwan Da Dera, Ludhiana to the effect that she is a house wife and she is illiterate. She understand

(Barjinder Pal Singh)
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Punjab script and she used to put her signatures in Hindi. Her husband is doing labour job at Ludhiana. She is having four children. That on 06.06.2025 at about 2:30 p.m she was present at her house and at that time her elder daughter/prosecutrix (*name withheld in compliance of provision contained in Section 228A of IPC and directions of Hon'ble Supreme Court in State of Karnataka Vs. Puttraj (2004 (1) SCC 475)*) aged about 12 years while crying came to her and told that when she was coming to her house and when she reached near the shop of one karyana shop, then one person came on Motorcycle and on the pretext of asking the passage of railway line, he forcibly made her sit on his motorcycle and took her towards Ladowal side. She raised hue and cry and tried to jump from his motorcycle but he speed up the motorcycle and took her towards bushes near railway line and thereafter, he forcibly removed her wearing clothes and he also removed his wearing clothes. Thereafter, he put his hands on her mouth and attempted to insert his private part into her private part. He also pressed her breast but she raised hue and cry due to which he did not succeeded to insert his private part into her private part. That thereafter, she worn her clothes and applicant/accused also worn his clothes and he dropped her near to her house. With these allegations, the present FIR has been registered.

4. Learned Special P.P for State argued that allegations leveled against the present applicant/accused are serious. It was further argued that the applicant/accused forcibly took the prosecutrix on his

motorcycle and took her to some deserted place and attempted to commit rape with her. The prosecutrix is minor as per record. It was further argued that case is at the stage of prosecution evidence and five prosecution witnesses have been examined. The testimony of material witness / complainant Reena Devi and other witnesses are yet to be recorded and there is every apprehension that accused may try to win over or intimidate the remaining witnesses from deposing in the court and prayed that the present application be dismissed.

5. On the other hand, learned counsel for the bail applicant argued that accused/applicant has not committed any such offence as alleged in the FIR. He further argued that no such occurrence had taken place. It was further argued that the prosecutrix was partly examined on 10.10.2024 and thereafter she did not turn up to face cross examination till yet. It was further argued that earlier three bail applications moved on behalf of the applicant/accused have already been dismissed as withdrawn. It was further argued that case is at the stage of prosecution evidence and five prosecution witnesses have been examined but the evidence of prosecutrix has not been recorded till date. The applicant/accused was arrested in the present case on 16.07.2025 and since then is in custody. He further argued that trial of this case will take long time to conclude. No purpose would be served by keeping the applicant behind bars for an indefinite period. The applicant is ready to abide by all the terms and conditions as imposed by this Court. He undertakes to appear on each and every date of hearing before this

court. On these submissions, a prayer to accept the bail application has been made.

6. I have considered the rival contentions of learned counsel for the applicant/accused as well as learned Special PP for State and have gone through the record carefully.

7. Perusal of record reveals that allegations leveled against the present applicant/accused are that he had kidnapped the prosecutrix (minor) from the lawful guardianship of her parents and took her to some deserted place and attempted to commit rape with her without her consent. Record further reveals that case is at the stage of prosecution evidence and five prosecution witnesses have been examined. The testimony of material witnesses i.e. complainant Reena Devi and her daughter/prosecutrix is yet to be recorded and there is every apprehension that the applicant/accused may try to win over these material witnesses which would hamper the conducting of fair trial. The medical evidence also corroborate the ocular version of the prosecutrix. The prosecutrix/victim is minor as per record.

8. Prima-facie, there are direct allegations leveled against the present applicant/accused of kidnapping the prosecutrix from the lawful guardianship of her parents with intention to have illicit intercourse with her and thereafter attempted to commit rape with her without her consent. As such, keeping in view the gravity of offence and seriousness of allegations against the present applicant/accused, he does not deserve any relief. Hence, the present bail application is

hereby **dismissed**. Bail application file be tagged with the main file.

Pronounced in open court.

Sd/-

Dated: 06.07.2026

**(Barjinder Pal Singh)
Addl. Sessions Judge/FTSC
under POCSO Act/Ludhiana.
(UID No.PB-0185)**

Gurmeet Singh, Stg.-II

(Directly dictated on computer)

**(Barjinder Pal Singh)
(UID PB-0185/ASJ/Ldh.**