

**IN THE COURT OF SHRI K. K. JAIN, ADDL. SESSIONS JUDGE,
TARN TARAN**

CNR PBTT010064192017

Bail Application No.554 of 2017

CIS No.BA/3086/17

Decided on :08.01.2018

State

Versus

Yunus Son of Milkha Singh, Resident of village Bhikhiwind, Tarn
Taran.(Accused/Applicant)

FIR No. 278/14.12.2017

U/s : 376 IPC

PS : Bhikhiwind, Dist. Tarn Taran

Bail Application Under Section 438 Cr.P.C

Present : Ld. Addl. PP for the State.

Sh. Palwinder Singh Adv, counsel for the
applicant/accused.

ORDER

1. Heard on the bail application filed on behalf of applicant/accused for bail, whereby it is submitted that the accused-applicant is innocent person. He is law abiding and peace loving citizen. The accused/applicant is serving in Indian Army. The police of Police station Bhikhiwind has registered the above noted false and frivolous case against the accused/applicant. The accused/applicant has not committed any offence as alleged in the FIR. The accused/applicant has not participated in the alleged crime, rather he has been falsely roped in the above said case at the behest of the complainant, without any cause or rhyme. The applicant is serving in Indian Army and he will not flee from the justice. Accordingly prayer is made for allowing the present application.

2. Upon notice Ld. Addl. PP for the State put in appearance on behalf of the State and although reply to the application is not intended to be filed by the State but the said petition is hotly contested by the Ld. Addl. PP for the State and the contention of Ld. Addl. PP for the State is that specific allegations are there against the accused and investigation in the present case is still pending and as such Concession of anticipatory bail should not be granted to the accused as it may hamper the investigation. Accordingly, request is made for dismissal of the present application.
3. After considering the rival contentions of the parties and going through the file carefully, this court is convinced with the submission of Ld. APP for the State. In the present case, specific allegations are there against the accused Yunus thereby that the aforesaid accused/applicant, as per the version of the complainant, committed the alleged offense and as such without commenting upon the merits of the case, this court is of the opinion that as the investigation in the present case is still pending and as such Concession of anticipatory bail can not be granted to the accused as it may hamper the investigation, as such keeping in view, the totality of the facts of the case in hand, it is held that the accused is not entitled to concession of anticipatory bail, in the present case and the present application is hereby dismissed. File be consigned to the record room.

**Pronounced in the open court:
08.01.2018**

**(K.K Jain)(UID PB0163)
Addl. Sessions Judge,
Tarn Taran.**