

In the Court of Ms. Sonia Kinra,
Addl. Sessions Judge,
Ludhiana

Bail Application CIS No.BA/270/2019

CNR No.PBLD010008912019

Date of Order: 14th January, 2019

State

versus

Jaspreet Singh alias Ravi son of Bhupinder Singh alias Reethi resident of
village Kakowal, Near Gaushala, P.S. Meharban, Distt Ludhiana.

.....Petitioner

FIR No.182 dated 1.8.2018

under Section 363/366 IPC,

P.S. Meharban, Ludhiana.

Bail Application under Section 439 Cr.P.C.

Present: Sh. K.S Sidhu, Advocate, for Petitioner
Sh. Dinesh Kumar, Addl.P.P for the State

ORDER

This order of mine shall dispose of bail application moved by
petitioner under Section 439 Cr.PC, in FIR No.182 dated 1.8.2018, under
Section 363/366 IPC, registered at P.S. Meharban, Ludhiana.

2. Notice of the bail application was given to the State and main
file bearing CNR No.PBLD010252572018 is put up.

3. I have heard learned Counsel for the petitioner and learned
Addl.PP for the State and have gone through the file carefully.

4. Learned Counsel for the petitioner has prayed for grant of
bail to the petitioner on the ground that all the allegations levelled against
him are frivolous. The prosecutrix got registered false FIR against the

petitioner under the pressure of her parents. The complainant did not support the version of the prosecution and turned hostile. Even the prosecutrix stated that she went with her own sweet will with the accused and no such offence was committed by the accused. As the trial will take time but material witnesses have been examined, therefore, he prayed for grant of bail to the petitioner.

5. On the other hand, learned Addl.P.P for the State has urged that due to heinous crime, accused may not be released on bail and prayer for dismissal of the bail application is made.

6. The facts as revealed from the FIR are that on 1.8.2018, SI Sukhdev Singh along with other police officials was present at Village Kaniya, where Mohd. Sakir came to him and got recorded his statement to the effect that he is running a hotel at village Kakowal. He has four sons and one daughter. The date of birth of his daughter/victim is 3.9.2006 and she is about 13 years old. Ravi used to tease her on the way. In this regard, his daughter told him. He told to the parents of Ravi regarding the same and also told that the age of his daughter was less. He told them that their son was instigating his daughter for marriage but they did not ask their son to mend his ways. On 30.7.2018 at about 7:30 PM, Ravi enticed away his daughter on the pretext of marriage. He tried to search her at his own level, but all the vain. .

7. Thereafter, challan was presented under Sections 363 and 366-A IPC against the petitioner. Charge was framed on 1.12.2018.

Statements of prosecutrix as well as Mohd Shakeel, complainant, her father have been recorded. Complainant Mohd Shakeel while appearing as P.W2 has resiled from his statement and was declared as hostile. He was cross examined by learned Addl.PP for the State even. Material witnesses i.e victim and complainant have been examined. The list of witnesses reflects that other witnesses are formal witnesses. The petitioner is already in custody since 1.8.2018. Trial will take long time and therefore, no purpose will be served by keeping the petitioner behind the bars. Hence, the bail application is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.75,000/- with one surety of the like amount. Nothing stated aforesaid shall be construed as an expression or opinion on merits of the case. Bail application file be attached with the main file.

(Sonia Kinra)

Pronounced in open Court;
Date of Order: 14.01.2019
Raj Kumar, Stenographer Gr.II

Addl. Sessions Judge,
Ludhiana (Duty)
(UID No.PB-0176)