

In the Court of Hardip Singh, Additional Sessions Judge, Ferozepur

CNR No.PBFZ0100-2624-2022

CIS No. BA/1099 of 2022

Date of Order: 26.05.2022

Pinki aged about 18 years daughter of Makhan, resident of Baag Phul Chand, Ferozepur City, Tehsil and District Ferozepur.

... Applicant/Accused.

Versus

State of Punjab.

...Respondent.

FIR No.55, dated 03.05.2022

U/s 457, 380 IPC

Police Station Kulgarhi.

(Application for bail under Section 438 of Cr.P.C)

Present: Sh. J.S. Kalra, Advocate, counsel for applicant/accused.
Sh. Keemat Singh, Additional Public Prosecutor for the
State.

O R D E R

1. Heard on the bail application filed by applicant/accused Pinki, under Section 438 of Cr.P.C, pertaining to FIR No.55, dated 03.05.2022, under section 457, 380 IPC, Police Station Kulgarhi.

2. Learned counsel for the applicant/accused has argued and contended that applicant/accused has been falsely implicated in this case. She is not named in the FIR, as the FIR has been registered against one Sabhi and unidentified persons. There is delay in registration of FIR, which has been consumed to concoct a false

version. The applicant/accused has been nominated on 15.05.2022 vide rapat No. 20, on the basis of statement of Sher Singh son of Harpal Singh and there is nothing as to how the said person came to know about the name of the applicant. No act or overt act has been specifically attributed to the applicant/accused. She is ready to join the investigation, as such, prayer has been made for grant of anticipatory bail to the applicant/accused.

3. Notice of the bail application was given to the State, through learned Additional Public Prosecutor for the State, who appeared and opposed the present bail application on the ground that the applicant/accused has been nominated on the statement of Sher Singh brother of complainant and besides that co-accused Komal and Nishi have also suffered disclosure statement wherein they disclosed that the applicant/accused was also present with them at the time of commission of offence. As such, applicant/accused has committed heinous crime, so she is not entitled for anticipatory bail. ASI Mohinder Singh has also appeared alongwith record and suffered a statement that accused has neither filed bail application before Hon'ble Punjab & Haryana High Court, Chandigarh, nor the same is pending in any superior court of law. This is the first anticipatory bail

application of applicants/accused. No offence has been added after registration of the FIR.

4. Heard. Perusal of the file shows that the present FIR has been registered against Sabhi and unidentified persons on the statement of complainant Jasmail Singh with the allegations that accused Sabhi alongwith some unknown persons committed house trespass in his house in their absence and removed valuable articles including electronic items and gold ornaments. The name of the applicant/accused does not find figured in the FIR and she has been nominated on the basis of statement made by brother of complainant namely Sher Singh. At this stage, no specific act or overt act is attributed to the applicant/accused. Moreover, applicant/accused is ready to join the investigation, so I deem it fit to direct the applicant/accused to appear before the investigating officer/SHO within five days and join the investigation and on her doing so, she be released on interim bail. The applicants/accused shall comply with Section 438 (2) of Cr.P.C.

5. Now to come up on 31.05.2022 for further proceedings and consideration. Anything stated in this order shall have no bearing on the merits of the case in any manner.

Pronounced in open Court.

Dated: 26.05.2022

Pritpal Singh, Stenographer Gr. II

Sd/-
(Hardip Singh)
Additional Sessions Judge,
Ferozepur. UID No.PB0638