

IN THE COURT OF MRS. MANJOT KAUR (PB-0097)
 ADDITIONAL SESSIONS JUDGE
 (EXCLUSIVE COURT FOR HEINOUS CRIMES AGAINST
 WOMEN), PATIALA(Duty)

Filing No.BA-1136/2020
 PBPT01003616-2020
 Date of Order: 11.5.2020

Amandeep Khan @ Amandeep Singh Vs. State of Punjab.

FIR No. 71 of 2019
 Under Section 363,366-A,376 IPC
 & Sec. 8 POCO Act
 P.S. Bhadson, District Patiala.

Application for bail u/s 439 Cr.P.C

Present: Sh. J.S. Nararwal, advocate, counsel for the
 applicant/accused.
 Sh.Balwinder Nath, Ld. Addl. PP for the State

ORDER

1. Bail application put up before me being Duty Judge/Additional Sessions Judge.

2. This order of mine shall dispose of an application U/s 439 Cr.P.C., for grant of bail filed by applicant.

3 Upon notice, Ld. Addl. Public Prosecutor assisted by the investigating officer has appeared to represent the State and to contest the bail application.

4. I have heard learned counsel for the applicant and learned Addl. PP for the State and have gone through the record carefully.

5. It is the case of complainant Kulwinder Kaur wife of Balwinder Singh that her husband Balwinder Singh is a mental patient and she has three children. On 5.7.2019, her daughter victim aged 17-1/2 years having taken meals had gone off to sleep. When she (Kulwinder

Kaur) woke up in the morning at about 3.00a.m, she found her daughter victim missing from her bed. Despite having searched for her at all possible places, she could not find her daughter. Later on it transpired that her daughter had been kidnapped by Aman @ Tikku son of Kala R/o Patiala. On 29.3.2020, bail applicant Amandeep Khan came to be arrested and from whom the victim was got recovered.

6. Perusal of the police record clearly goes to show that the date of birth of the victim is 5.2.2002. As per the statement of complainant, victim is alleged to have been kidnapped in the intervening night of 5/6.7.2019, on which date she is clearly shown to be the age of 17 years 5 months i.e. below the age of 18 years. Victim being a minor on 5.7.2019, she could not have been taken away from the custody of her parents without their consent. Clearly, the person taking her away is shown to have kidnapped her, she having been taken away without the consent of her parents. Further more, after 5/6.7.2019, the victim was got recovered from the possession of the bail applicant.

7. Keeping in view the aforementioned circumstances and the heinousness of offence involved, bail applicant is not found entitled to the relief of bail as prayed for. Accordingly, the present application stands dismissed. File be attached with the main file.

Pronounced
11.5.2020

(Manjot Kaur)(PB0097)
Additional Sessions Judge,
(Exclusive Court for Heinous Crimes
Against Women) Patiala(Duty).

Typed by Seema Rani
Stenographer Gr. II