

**FIR No.99 dated 26.09.2019.
Under Sections 354, 354-A, 354-D IPC
and 8 of POCSO Act.
PS, Sadar Banga.**

Present:Sh.KS Kahlon, Advocate for applicant/accused.
Sh.Davinder Kumar, Additional Public Prosecutor for the State.

ORDER:

Learned counsel for accused has produced copy of letter dated 26.09.2019, which was moved by Rattan Kumar to SHO, PS Sadar Banga and compromise dated 12.03.2019, be placed on file. Record produced.

2. Heard on the bail application under Section 439 Cr.P.C. filed by applicant/accused Harjit Kumar @ Nikka in case FIR No.99 dated 26.09.2019, under Sections 354, 354-A, 354-D IPC and 8 of POCSO Act, PS Sadar Banga.

3. Learned counsel for applicant/accused has vehemently argued that applicant/accused is innocent and he has been falsely implicated. He has further argued that no such occurrence took place as alleged and the complainant has made the statement to the police under the pressure and threat given by his father. He has further argued that no such act has been done by applicant so as to outrage her modesty. He has also argued that applicant/accused has committed no offence and no recovery is effected from applicant/accused. Lastly, he has prayed to admit the applicant/accused to bail.

4. These contentions have been rebutted by learned Additional Public Prosecutor for the State contending that there was no occasion for

the complainant for false implication of the accused. He has further argued that there are serious allegations against the applicant/accused and a prayer has been made to dismiss the present bail application.

5. I have considered the rival contentions raised by learned counsel for the applicant/accused and learned Additional Public Prosecutor for the State. I have also perused the record.

6. Originally, the FIR under Sections 354, 354-A and 354-D IPC and 8 of POCSO Act was registered against the applicant/accused. Admittedly, investigation is already complete as challan has also been presented against the applicant/accused. It is not disputed by prosecution that the accused is in custody since 26.09.2019. Conclusion of trial may take some time. No useful purpose would be served by keeping the applicant/accused behind bars any more. Accordingly, applicant/accused is admitted to bail on furnishing bail/surety bonds in the sum of ₹75,000/- with one surety in the like amount. Bonds not furnished. Papers be attached with the main file. Record be returned.

Pronounced.
Dated:29.10.2019.

Randhir Verma,
Additional Sessions Judge,
SBS Nagar.
(UID No.PB-165)

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