

**IN THE COURT OF SHRI BARJINDER PAL SINGH, ADDL.
SESSIONS JUDGE / FAST TRACK SPECIAL COURT UNDER POCSO
ACT, LUDHIANA (UID NO.PB-0185).**

CIS No. SC /92 / 2026

Date of Institution: 17.02.2026

CNR No. PBLD-0100-3820-2026

Date of Decision: 10.07.2026

State of Punjab

Versus

Ravi son of Neetu resident of village Dalawra, Saharanpur, U.P. At present residing as tenant in the house of Gurcharan Singh, Baba Deep Singh Nagar, Ludhiana.

.....Accused.

FIR No.263 dated 03.11.2025

Under Sections: 137(2), 96, 64 BNS and 4, 6 POCSO Act.

Police Station: Sadar, Ludhiana.

Present: Ms. Manjinder Kaur, Special Public Prosecutor for State.
Accused in custody, represented by Ms. R.D. Sachdeva,
Advocate.

JUDGMENT:

Above named accused has been sent up to face trial for the offences punishable under sections 137(2), 96, 64 BNS, 2023 and section 4, 6 POCSO Act by Officer In-charge of Police Station Sadar, Ludhiana.

2- In brief, case of the prosecution is that on 03.11.2025 ASI Kapil Kumar No.2201/Ldh along with HC Amandeep Singh No.896/Ldh, L/SC Jaswinder Kaur No.107/Ldh and C-Gagandeep Katharia No.3312/Ldh were present at Police Post Merado, Ludhiana where complainant Ishpal along with his wife Monika r/o H. No.43, Street No.1, Mohalla Janta Colony, Near Anganwari School, Ludhiana come present

and got recorded his statement before ASI Kapil Kumar (I.O) to the effect that he along with his family is residing at the given address. He is a labourer by profession. He is having two daughters and one son. His elder daughter/prosecutrix (*whose name is not being mentioned in this judgment in compliance of provision contained in Section 228A of IPC and directions of Hon'ble Supreme Court in of State of Karnataka Vs. Puttraj (2004 (1) SCC 475) and is hereinafter called prosecutrix*), aged about 13 years had passed her 6th class from Dashmesh Public School, Ishar Nagar, Ludhiana. That on 24.10.2025 at about 3:00 p.m, he along with his wife Monika went outside the house in connection with some personal work. At about 4:45 p.m, when they returned to home, they saw that their daughter/prosecutrix was not present at home. They searched their daughter/prosecutrix in the nearby locality but she could not be found anywhere else. They have also searched the prosecutrix in the houses of their relatives but all in vain. Later on, they came to know that Ravi son of Neetu had enticed away his daughter/prosecutrix by alluring her on the pretext of marriage. The complainant prayed to take legal action against the accused and punish him as per law. That statement of the complainant was read over to him in simple Hindi language and after admitting its contents to be true and correct, he put his signatures in Hindi upon his statement which was also witnessed by her wife Monika. I.O/ ASI Kapil Kumar also attested the same. Finding a prima-facie case under sections 137(2), 87 BNS, 2023, Ruqa was scribed and sent the same

through C-Gagandeep Katharia to the police station concerned for registration of FIR against the accused. Initial investigation was conducted during which Investigating Officer along with police party accompanied by complainant reached the house of complainant and prepared rough site plan on the demarcation of complainant. Investigating Officer inquired from the mohalla residents regarding the whereabouts of accused and prosecutrix and also searched both of them in the nearby area but they could not be found anywhere. Further investigation of the present case was conducted by ASI Gurpreet Singh No.2475/Ldh. On 15.11.2025, ASI Gurpreet Singh along with other police officials was present at Police Post Merado where complainant come present and gave information to the Investigating Officer that his daughter/prosecutrix and accused Ravi are standing near Gill Canal, Ludhiana and waiting for some vehicle. Thereafter, Investigating Officer along with police party accompanied by the complainant conducted raid at Gill Canal, Ludhiana where one girl and one boy were seen standing on one side of Gill Canal. The complainant gave signal to the Investigating Officer and identified both of them. Investigating Officer with the help of police party apprehended both of them. On asking by the I.O, the boy disclosed his name as Ravi son of Neetu and the girl/prosecutrix disclosed her name (name withheld) D/o Ishpal. Identification Memo of the accused was prepared which was signed by the complainant and attested by attesting witnesses. Accused was made aware about the facts of present case and joined him in police

proceedings. After thorough interrogation, accused was arrested in the present case. His arrest-cum-intimation Memo was prepared. His personal search was also conducted and his personal search Memo was prepared. Both the Memos were signed by the accused and attested by attesting witnesses. The prosecutrix was taken into police custody and thereafter her custody was handed over to her father/complainant vide separate Memo which was signed by the complainant and attested by attesting witnesses. Statements of concerned witnesses u/s 180 BNSS were recorded. On return to police station, accused was kept behind police lock up. On 16.11.2025, the accused was produced before the Court of learned Illaqa Magistrate and the concerned Court has granted three days police remand to the accused. On 17.11.2025, ASI Gurpreet Singh along with lady police official took the prosecutrix accompanied by her mother to the Court of learned Illaqa Magistrate and got recorded the statement of prosecutrix u/s 183 BNSS. On the same day, the prosecutrix was taken to Civil Hospital, Ludhiana and got conducted her medical examination and thereafter, custody of the prosecutrix was handed over to her mother. On 18.11.2025, the accused was taken to Civil Hospital, Ludhiana where his medical examination was conducted by the concerned doctor. The statement of prosecutrix u/s 180 BNSS was recorded. Thereafter, on the basis of statement of prosecutrix u/s 183 BNSS, 180 BNSS as well as on the basis of medical reports of the prosecutrix, offence u/s 64 BNS and 4, 6 POCSO Act were enhanced in the present case. Special reports were

sent to higher officers in this regard. On 19.11.2025, after medical examination of the accused, he was produced before the Court of learned Illaqa Magistrate and the concerned Court has granted judicial remand to the accused and sent him to Central Jail, Ludhiana in judicial custody. During investigation, statements of concerned witnesses under section 180 BNSS were recorded. After completion of investigation and other formalities, the *Challan Report u/s 193 BNSS* was presented in court for judicial verdict.

3- On presentation of challan, the copies thereof along with attending documents, as required under Section 230 BNSS, were supplied to the accused and his statement was recorded.

4- After hearing Ld. Spl. PP for the State and the counsel for the accused and finding a *prima facie* case for the *offence* punishable under sections 137(2), 96 BNS, 2023 & 6 POCSO Act, 2012 & 64 BNS, 2023 being made out, charge upon the accused for said offences was framed accordingly, to which the accused pleaded not guilty and claimed trial.

5- In order to prove its case, the prosecution has examined **PW-1 Ishpal (complainant)** on whose statement the present FIR was got registered, has not supported the prosecution case and deposed that his daughter/victim is 13 years old. He has seen the accused first time in the Court. His daughter/victim never left their house without informing them. They never reported any complaint regarding missing of their daughter/victim. They have not reported any case against the accused present in the Court. Accused present in the Court

never allured his daughter/victim. His daughter/victim never recovered from the possession of accused in his presence. Police met him once regarding theft case and his signatures were obtained by the police on some documents. He does not read and write Punjabi language. He identified his signatures at Point A to Point C but he is not aware about the contents written above his signature. This witness was declared hostile at the request of learned Special PP for State who further permitted to cross examine the witness. This witness did not support the case of prosecution and turned hostile. Attention of the witness was drawn towards his statement Mark A from portion A to A1 word by word but he denied having made any such statement to the police. Attention of the witness was also drawn towards Memo Mark B and Mark C, witness identified his signatures at Point B and Point C but denied the contents of Mark B and Mark C. Despite lengthy cross examination by learned Special PP for State, the witness did not support the prosecution version even a wee bit.

6- The prosecution further examined **PW-2 Monika**, who has also not supported the prosecution version and turned hostile and deposed that her daughter/victim is 13 years old. She has seen the accused first time in the Court. Her daughter/victim never left their house without informing them. They never reported any complaint regarding missing of their daughter/victim. They have not reported any case against the accused present in the Court. Accused present in the Court never allured her daughter/victim. Police took her daughter/victim to Civil Hospital, Ludhiana for her general medical examination and at the time of her medical examination, no blood

samples or any other samples were taken by the doctors. Police obtained her signatures on some blank papers. She does not read or write Punjabi language. She identified her signatures at Point D and Point E. She is not aware about the contents written above her signatures. This witness did not support the case of prosecution and turned hostile. Attention of the witness was drawn towards her statement Mark D from portion D to D1 word by word but she denied having made any such statement to the police. Attention of the witness was also drawn towards statement Mark A, witness identified her signatures at Point D but denied the contents of Mark A. Despite lengthy cross examination by learned Special PP for State, the witness did not support the prosecution version even a wee bit.

7- The prosecution further examined **PW-3 Prosecutrix**, who has also not supported the prosecution case and deposed that she has seen the accused first time in the Court. Accused present in the Court never committed any offence with her. She was taken to Civil Hospital, Ludhiana where her general medical examination was conducted by the doctors. At the time of medical examination, no blood samples or vaginal swabs were drawn by the doctors. Police obtained her signatures on some blank papers. Police never recorded her statement in the present case. She has seen her statement u/s 183 BNSS Ex.PW3/1 which bears her signatures. Ex.PW3/1 is not her volunteered statement as the same was given by her under the threat of police officials standing outside the Court in civil dress but she cannot tell the name and designation of those police officials. This witness was declared hostile at the

request of learned Special PP for State who further permitted to cross examine the witness. This witness did not support the case of prosecution and turned hostile. Attention of the witness was drawn towards statement Mark F from portion F to F1 word by word but she denied having made any such statement to the police. Despite lengthy cross examination by learned Special PP for State, the witness did not support the prosecution version even a wee bit.

8- The prosecution further examined **PW-4 Monu**, who has also not supported the prosecution version and deposed that she is working as sweeper at Railway Station, Ludhiana. She has no personal knowledge regarding the facts of present case. He has seen the accused first time in the Court. Police never recorded his statement in the present case. Accused present in the Court never committed any offence in his presence. This witness was declared hostile at the request of learned Special PP for State who further permitted to cross examine the witness. This witness did not support the case of prosecution and turned hostile. Attention of the witness was drawn towards his statement Mark E from portion E to E1 word by word but he denied having made any such statement to the police. Despite lengthy cross examination by learned Special PP for State, the witness did not support the prosecution version even a wee bit.

9- In order to corroborate its version, the prosecution further examined **PW-5 Dr. Vishaldeep Chopra**, who has deposed that on 18.11.2025, he had conducted male potency test on the person of accused Ravi aged about 24 years male son of Neetu and proved on record computerized copy of MLR Ex.PW5/1 on which he identified his signatures.

10- The prosecution further examined **PW-6 Sukhjeet Kaur ANM-cum-Health Worker**, who had brought the summoned record pertaining to age proof of the victim D/o Rachpal and as per record, date of birth of the victim is 29.01.2012. She has seen the copy of birth certificate issued from their office Ex.PW6/A which is correct as per original record and she identified her signature on the same.

11- The prosecution further examined **PW-7 Dr. Priya Bansal**, who has deposed that on 17.11.2025 she had conducted medical examination of the rape victim aged about 14 years D/o Ishpal and proved on record medical Test Report Ex.PW7/2, USC Pelvic Organs Report Ex.PW7/3 and Ex.PW7/4, Ultrasound Films Ex.P1 to Ex.P5. She identified the signature of Dr. Harkirat Kaur on Ex.PW7/3 and Ex.PW7/4.

12- The prosecution further examined **PW-8 L/SC Jaswinder Kaur No.107/Ldh** has deposed that on 15.11.2025 she along-with police party accompanied by complainant reached at Gill canal where on one side, one boy along-with one girl was seen standing. On seeing them, complainant gave signal to the Investigating Officer. On seeing the police party the above-said boy and girl got frightened and tried to left the place. I.O with the help of police party apprehended both of them. On asking by the I.O. the boy disclosed his name as Ravi son of Neetu and the girl/victim also disclosed her name D/o Ishpal. IO prepared Identification Memo Ex.PW8/1. Accused was arrested vide arrest-cum-intimation Memo Ex.PW8/2 and his personal search

Memo Ex.PW8/3 was also prepared. I.O prepared handing over Memo Ex.PW8/4. During investigation, medical examination of the victim was got conducted from Civil Hospital, Ludhiana. MHC handed over her sealed envelopes containing blood samples and vaginal swabs of victim and blood samples of accused along with relevant documents for depositing the same at FSL, SAS Nagar and as per instructions, she got the docket issued from the office of ADCP-II, Ludhiana and deposited the same in the office of FSL, SAS Nagar, Mohali against proper receipt which she handed over the same to MHC on return to police station on the same day. Till the time, the case property remained in her possession, neither she tampered with it nor allowed anybody else to tamper with the same.

13- The prosecution further examined **PW-9 MHC Harinder Singh No.969/Ldh**, who has deposed that on 18.11.2025 I.O handed over him one parcel containing 2 ml blood in EDTA vial sealed with seal impression VDC and one parcel containing documents regarding the medical examination of accused. One parcel containing 3 vaginal swabs, 2 glass slides for DNA testing sealed impression PB, one parcel containing 2 ml blood in EDTA vial sealed with seal impression PB and one parcel containing documents regarding the medical examination of victim. He deposit the same in the Malkhana and made an entry in register no.19. He handed over the above-said parcels to L/SC Jaswinder Kaur and as per instructions, she get docket issued from the office of ADCP-II,

Ludhiana and thereafter deposited the parcels in the office of FSL, phase-IV Mohali against proper receipt which she handed over the same to him on return to police station on the same day. Till the time, the case property remained in his possession, neither he tampered with it nor allowed anybody else to tamper with the same.

14- The prosecution further examined **PW-10 ASI Gurmeet Singh**, who has deposed that on 15.11.2025 investigation of the present case was entrusted to him. On that day, on the basis of information given by the complainant, he along-with police party and complainant reached at Gill canal where on the identification of complainant, he arrested the accused. He prepared Identification Memo of accused and victim Ex.PW8/1. Accused was arrested vide Memo Ex.PW8/2. His personal search was conducted vide Memo Ex.PW8/3. Thereafter, victim was handed over to her parents vide Memo Ex.PW8/4. On 17.11.2025, I.O moved an application Ex.PW10/1 before the learned Illaqa Magistrate for recording the statement of the victim and thereafter, statement of victim u/s 183 BNSS was recorded by the learned Illaqa Magistrate. On the same day, I.O moved application Ex.PW10/2 before SMO, Civil Hospital for conducting medical examination of victim regarding sexual assault. On 18.11.2025, application Ex.PW10/3 was moved before the SMO, Civil Hospital for conducting medical examination of accused regarding male potency test. During investigation, offence

u/s 64 BNS and 4 and 6 of POCSO Act has been added in the present case. Special Report Ex.PW10/4 were sent to higher officers. During investigation, offence u/s 87 BNS and 96 BNS were deleted. Special Report Ex.PW10/5 was sent. FSL Report Ex.PX.

15- The prosecution further examined **PW-11 ASI Kapil Dev No.2201/Ldh**, who has deposed that on 03.11.2025, he was present at P.P Merado where Ishpal along-with his wife Monika came present and got recorded his statement Ex.PW11/1 which was attested by his wife Monika at Point-D. I.O made Endorsment Ex.PW11/2. On the basis of statement of complainant, IO scribed Ruqa Ex.PW11/3 on the basis of which FIR Ex.PW11/4 was registered. On the same day, he along-with complainant reached at the place of occurrence and prepared the rough Site Plan Ex.PW11/5.

16- Learned Special PP for State tendered into evidence Forensic DNA Test Report Ex.PX and closed the prosecution evidence.

17- Statement of accused u/s 313 CrPC was recorded, in which he pleaded that he is innocent and falsely implicated in this case. He has not committed any such offence as alleged in the FIR. He opted not to lead evidence in defence.

18- I have heard Ld. Special Public Prosecutor for the State and the counsel for the accused and have gone through the material placed on record.

19- In order to bring home the guilt of accused, it was incumbent upon the prosecution to prove case against the accused beyond shadow of doubt and to

discharge this onus, the prosecution has examined **PW-1 Ishpal (complainant), PW-2 Monika, PW-3 Prosecutrix and PW-4 Monu** but all these star witnesses have not supported the prosecution version and have resiled from their previous statements. These witnesses were declared hostile by the prosecution and have been cross examined at length. They have been fully confronted with their previous statements but these witnesses have denied giving any such statement. Despite strenuous cross-examination by the prosecution, these witnesses have stood firm and have denied that accused committed the alleged occurrence. As such, the prosecution evidence is barren of any incriminating evidence against the accused. There is not even an iota of evidence against the accused in the present case. Rest of the witness examined by the prosecution are police officials and doctors and their evidence is of formal in nature.

20- In criminal case, in order to fix criminal liability of an accused, there must be cogent and direct evidence against him. In the present case, there is no evidence at all against the accused. Hence, the prosecution has failed to bring home the guilt of the accused and as a sequel thereto by giving benefit of doubt, **accused Ravi son of Neetu** is acquitted of the charges framed against him under **sections 137(2), 96 BNS, 2023 & section 6 Protection of Children from sexual Offence Act, 2012 and 64 BNS**. File be consigned to the record room.

Pronounced in open Court. Sd/-

Dated: 10.07.2026

(Barjinder Pal Singh)
Additional Sessions Judge/FTSC,
under POCSO Act / Ludhiana.
(UID PB-0185).

Gurmeet Singh, Stg.-II

Directly dictated on computer

(Barjinder Pal Singh)
(UID PB-0185)/ASJ/LDH.