

**IN THE COURT OF SHRI AVTAR SINGH BARDA,
ADDITIONAL SESSIONS JUDGE,
Gurdaspur.**

Unique Identification Code No. (PB0159)

Computer generated No. BA-1762-2019

Bail application no. 209 of 02.07.2019

Date of order: 15.07.2019

Peter Singh @ Gagan son of Sucha Singh resident of village Kaley
Khurd, P.S. Sadar Gurdaspur, Tehsil and District Gurdaspur

----Accused/applicant.

Versus

State of Punjab

FIR No. 89 dated 25.06.2019
U/ss 354-D IPC & 67 (A) I.T. Act, 2000
P.S. City Gurdaspur

BAIL APPLICATION U/S 438 CR.P.C

Present: Sh. Rajiv Bhatia Adv. counsel for accused/applicant.
Sh. Kiran Kumar Addl.P.P for the State.

O R D E R

1. This order of mine shall dispose of bail application moved by the applicant-accused Peter Singh @ Gagan under Section 438 Cr.PC in the above noted case.
2. Notice of this bail application was given to State and Sh. Kiran Kumar, learned APP for the State has appeared and opposed the bail application. Police record also produced.
3. The case arising out of FIR No. 89 dated 25.06.2019 U/ss 354-D IPC relating to P.S. City Gurdaspur, which has been registered

on the basis of application moved before SSP, Gurdaspur by Mandeep Kaur daughter of Balbir Singh, who stated therein that on 15.06.2019 at 05:50 AM, accused harassed, teased and warned her, when she visited at V-Mart with her friend. She further stated that accused also harassed her elder sister, who is working in HDFC Bank, Jaura Chhitran through social media by sending vulgar videos and Instagram message. She requested to take legal action against the accused. On the basis of said application, enquiry was conducted by DSP Vavinder Mahajan and ultimately, present case was registered.

4. Learned counsel for the accused /applicant has argued that accused/applicant has been falsely implicated in the above noted case, who has not committed any offence. No alleged offences are made out against the accused/applicant and there is unexplained delay in lodging the FIR. He further argued that no occurrence as alleged took place and FIR registered under political pressure. In the last, he prayed that accused/applicant may be granted anticipatory bail.

5. On the other hand learned Addl.P.P for the State vehemently opposed the arguments advanced by learned counsel for the accused/applicant and stated that accused/applicant has harassed and teased the complainant by sending vulgar videos and messages on Instagram App and hence, accused/applicant committed serious crime. In the last, he prayed for dismissal of the application.

6. I have heard learned counsel for the accused/applicant, learned Addl.P.P for the State and have gone through the entire record carefully with their able assistance.

7. After hearing learned counsel for the accused/applicant as well as that of learned Addl.P.P for the State, I carefully perused the police record. From perusal of police record, as per prosecution story, accused/applicant harassed and teased the complainant at V-mart, when she visited there alongwith her friend. Accused/applicant also sent vulgar videos and obscene messages to sister of complainant on Instagram APP. In these circumstances, I am of the considered opinion that allegations levelled against the accused/applicant are very serious in nature. Keeping in view all these circumstances and the fact that investigation of this case is still in progress and offences under which accused has been booked are heinous in nature and custodial interrogation of accused/applicant may be required for the purpose of investigation, as such application in hand being devoid of any merits is hereby declined.

Concerned Ahlmad of this court is directed to return the record to the concerned Police official/Naib court of this court against proper receipt as per rules and bail application file be consigned to record room.

Pronounced: 15.07.2019

Dilbag Singh Stenographer Grade.II.

(Avtar Singh Barda)
Additional Sessions Judge,
Gurdaspur UID (PB0159)

This order has been directly dictated on the computer.

Present: Sh. Rajiv Bhatia Adv. counsel for accused/applicant.
Sh. Kiran Kumar Addl.P.P for the State.

I.O. alongwith police record has come present. Arguments heard. Vide my separate detailed order of even date, the present bail application stands declined.

Concerned Ahlmad of this court is directed to return the record to the concerned Investigating officer/Naib court of this court against proper receipt as per rules whereas file be consigned to record room.

Pronounced: 15.07.2019

Dilbag Singh Stenographer Grade.II

(Avtar Singh Barda)
Additional Sessions Judge,
Gurdaspur. UID (PB0159)

This order has been directly dictated on the computer.