

CNR No. PBSA0100-0036-2021
Hansraj Vs State
Date of order 08.1.2021

IN THE COURT OF DR. HARPREET KAUR
JUDGE, SPECIAL COURT, SAS NAGAR MOHALI.

Hans Raj, aged about 44 years, son of Mahinder Pal, resident of House no.
54, street No.1, Jujhar Nagar, District SAS Nagar (Mohali)

..... applicant

versus

State of Punjab

.....respondent

FIR/DDR No.14 dated 03.11.2018
Under Sections 354A,323,506,34 IPC in connection with
FIR No.119 dated 10.11.2018
under Sections 452,323,506,,148,149 IPC
P.S. Balongi

Bail application under Section 438 Cr.P.C.

Present: Sh.Baljinder Singh, Adv counsel for applicant/accused
Sh.Manjit Singh, Additional Pubic Prosecutor for the
State

ORDER

The instant application has been moved seeking anticipatory bail in light of the apprehension of arrest of the above named applicant in case FIR/DDR No.14 dated 03.11.2018, under Sections 354A,323,506,34 IPC in connection with FIR No.119 dated 10.11.2018 under Sections 452,323,506,,148,149 IPC , registered at police station Balongi , District SAS Nagar, Mohali.

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2. Learned counsel for the accused has submitted that the applicant has been falsely implicated in the present case by his daughter-in-law. It is submitted that the applicant had lodged FIR No.119 dated 10.11.2018 under Sections 452,323,506,148,149 IPC at Police Station Balongi against mother of the complainant/daughter-in-law. Thereafter, her daughter in connivance with police had lodged the false abovesaid DDR. Later on, the matter has been compromised between the parties. Custodial interrogation of the applicant is not required as no recovery is to be effected from him. Lastly, prayer to allow the application has been made.

3. Per contra, learned Additional Public Prosecutor for the State has opposed the bail to the applicant -accused on the ground that the accused-applicant has committed serious offences. However, he has not denied the fact that the matter has been compromised between the parties

4. Perusal of the record transpires that the complainant of DDR no. 14 dated 03.11.2018 is daughter-in-law of the applicant who has levelled the allegations of outraging the modesty against her father-in-law. It has also come on record that the applicant has initially registered GD No. 12 dated 01.01.2018 against Sita Devi, mother of his daughter-in-law and Sikandar (son-in-law of Sita Devi) for giving him beatings and subjected him to criminal intimidation after trespassing his house. After the incident the present DDR No.14 dated 03. 11.2018 was registered by complainant/daughter-in-law of the applicant. As per the investigating

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officer as it is a family dispute between the parties, they have entered into a compromise. In view of these circumstances, this court is of the view that the custodial interrogation of the applicants/accused is not required.

5. Keeping in view all these facts and circumstances and in view of the fact that parties have entered into a compromise and the fact that presentation of challan and conclusion of trial will take considerable time, but without commenting upon the merits of the case, the applicant /accused be admitted on interim bail. In the event of the arrest of applicant/accused, Arresting officer/ Investigating officer is directed to be released him on interim bail, on his furnishing bail bonds in the sum of Rs.1 lakh with one surety each of the same amount, to the satisfaction of the concerned IO/arresting officer, subject to the following conditions:-

A. That accused-applicant shall join and cooperate the investigation as and when called upon by the investigating officer;

B. Accused-applicant shall not try to contact, intimidate or attempt to influence the prosecution witnesses.

C. Accused-applicant shall not leave the country without the permission of the court;

Copy of this order be sent to the SHO, Balongi for compliance. To come up for report of the investigating officer, on 15.1.2021. Police record be returned.

PRONOUNCED
08.1.2021

(DR. HARPREET KAUR)
JUDGE, SPECIAL COURT
SAS NAGAR, MOHALI
UID NO. PB-0443

Dr. Harpreet Kaur
ASJ-SAS Nagar
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(Directly Dictated)

Jyoti stenographer (II)