

**IN THE COURT OF RACHHPAL SINGH
ADDITIONAL SESSIONS JUDGE,
FAST TRACK COURT,
EXCLUSIVELY DEALING WITH RAPE CASES,
FEROZEPUR
(UID No. PB-0284)**

CIS No. BA/ 1405 of 2025
CNR No. PBFZ0100-3921-2025
Date of order : 05.07.2025

***Mohit Soni alias Minni, aged 20 years son of Jaikab, resident of
Gawal Toli, Ahata 82 number Building, Ferozepur Cantt.***

.....Applicant/accused.

Versus

State of Punjab

.....Respondent

***FIR No. 109 dated 12.04.2025
Under Sections 137(2), 96 of BNS, 2023.
Police Station : City, Ferozepur.***

Bail application under Section 483 of BNSS.

Present: ***Sh. S.S. Chauhan, Advocate***, for applicant/accused.
Ms. Teena, Additional P.P for the State.

ORDER.

Mohit Soni alias Minni (applicant/accused) has filed instant bail application ***under Section 483 BNSS (Bhartiya Nagrik Suraksha Sanhita)*** for grant of regular bail on the ground that, he is innocent, has nothing to do with the said offence. The entire allegations leveled by the complainant/father of victim are altogether false and are suspicious in nature. Not only this after recovery of the Victim xxxx

(name withheld) girl, when she was produced before Learned Judicial Magistrate, in her statement under section 183 of BNSS, she has not uttered even a single incriminating against applicant/accused. Even otherwise, there is no medical evidence on record. Now, the applicant/accused is in judicial lock up since **12.04.2025**. Completion of investigation, presentation of challan and further conclusion of trial shall take long time. Since, no recovery is to be effected from the applicant/accused, therefore prayer made for bail. (*Application is duly supported with affidavit*).

2. Notice of the application was given to the learned Additional Public Prosecutor for the State. No reply to the application has been filed but hotly contested the same. Since, there are specific allegations of enticing a minor girl from the lawful guardianship of her parents, therefore, opposed prayer.

3. I have heard **Sh. S.S. Chauhan**, Adv. learned counsel for the applicant/accused and **Ms.Teena, Ld.Additional PP for the State** and have gone through the record on file.

4 **Father of victim** (complainant) suffered statement that his minor daughter *Victimxxxx(name withheld)* aged about 15 years as well as sister *xxxx(name withheld)* aged about 17 years used to remain

*alone at house, since he had to go out in connection with work. Earlier, on 11.04.2025, both daughter as well as sister were apprehended red handed while chatting with some boy on mobile phone and he reprimanded both of them, their mobile phones were taken into possession. However, at about 5:30 when he awakened, found both minor daughter as well as minor sister missing from home. He kept on search but remained clueless. He is of full belief that Goldy, Roshni and **Minni** have enticed away his minor daughter and sister in active connivance with Kajal. Prayer made for taking action. Instant case under sections 137(2), 96 of BNS, was got registered.*

On 12.04.2025, on the basis of secret information, both Victims xxxx (name withheld) alongwith Goldy and **Mohit Soni alias Minni** were apprehended. Arrest of both accused Singh was effected whereas, custody of Victims xxxx (name withheld) was handed over to complainant.

On 11.06.2025, Victim was produced before Learned Judicial Magistrate Ist Class, Ferozepur and she got recorded her statement under section 183 of BNSS, which is as follows:-

“She left house at her own will and wish and thereafter, went to her parental aunt(Bhua’s) house ”.

However, *Victim xxxx (name withheld) was never produced before Medical Officer, for medical examination.*

5. After having considering rival submissions put forth by counsel for both the parties and, perusal of the original file reveals that, instant case was got registered by complainant/father of victim against **Mohit Soni alias Minni (applicant/accused)** only on the basis of suspicion but Victim xxxx (name withheld), in her statement under Section 183 of BNSS (164 Cr.P.C.) has not uttered even a single incriminating against applicant/accused. Since, nothing is to be recovered from the applicant/accused and, further, keeping in view the fact that, applicant/accused is in judicial lock up since **12.04.2025**, thus has spent sufficient period of incarnation. Moreover, as per statement of Investigating Officer, Challan has already been presented before learned Chief Judicial Magistrate, Ferozepur, same is pending for commitment and conclusion of same is likely to take time, so, no useful purpose will be served by detaining him behind the bar for indefinite period, rather it would be burden upon state exchequer, hence without commenting upon merits of case, the bail application in hand, filed on behalf of **Mohit Soni alias Minni (applicant-accused)** is ***allowed*** and he is hereby, admitted on **bail** on furnishing of bail

bonds and surety bonds in the sum of Rs.50,000/-with one surety in the like amount to the satisfaction of Learned Illaqa/Duty Magistrate subject to the following conditions:

1. That he will not tamper with the prosecution evidence;
2. That he will appear in the court on each and every date of hearing to be fixed in the trial;
3. That he will not leave the territory of India without prior permission of the Court;

Nothing stated hereinabove shall have bearing on the merits of case. Bail application record be consigned to record room.

Pronounced in open court.

Dated: 05.07.2025

**(Rachhpal Singh)
Addl. Sessions Judge,
(Fast Track Court, exclusively
dealing with rape cases) Ferozepur
UID No. PB0284.**

(Manoj Kumar)
Stenographer-II