

CNR No. PBHO010051942024

CIS No. BA/1628/2024

Angad Dev and Ors. Vs Pooja Sharma & another

Present: Sh. Harinder Singh Flora Advocate, for applicants-accused.
None for respondent No.1.
Shri Varinder Kumar Public Prosecutor for the State/ respondent No.2.

1. Respondent No. 1/ complainant Pooja Sharma not came present, rather summons issued to procure her presence, received back with the report that she is not residing at the given address. Said report of concerned police official is supported by the statement of Kishore Kumar Sarpanch of Adarsh Colony Hajipur P.S Hajipur District Hoshiarpur. In these circumstances, as whereabouts of respondent No.1/ complainant is not known, hence this Court proceed further.

2. The applicants-accused Anged Dev, Pooja Devi and Jyoti Devi are seeking anticipatory bail in a complaint case titled as ‘ Pooja Sharma Vs Lucky Gir & others’ which is pending in the trial Court at Mukerian.

3. It is argued by Ld. counsel for applicants/accused that applicants-accused are summoned in a private complaint and the custodial interrogation of applicants-accused is not required. He argued that applicants-accused undertakes to abide by all the conditions as imposed by this Court. He prayed for allowing the present bail application of applicants-accused.

4. Heard. Perusal of record shows that applicants-accused have been summoned to face trial under Section 354,323,452,504,506,148,149 of IPC in a complaint case vide order dated 22.2.2023 and now, they apprehend their arrest. Since, the applicants-accused have been summoned in a complaint case and their custodial interrogation is not required and there is no likelihood of their

fleeing from Criminal Justice System. Hence, the applicants-accused are directed to surrender before the Ld. trial court/Duty Magistrate within 10 days from today and on their doing so, and in the event of their arrest, the trial court/Duty Magistrate shall admit them on bail on their furnishing personal bail bonds to the tune of Rs. 50,000/- each with one surety in the like amount each, to its own satisfaction. This order is subject to the following conditions:-

- i. That the applicants shall appear before the trial court on each and every date of hearing.
- ii. That the applicants cannot directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
- iii. The applicants shall not leave the country without the prior permission of the trial Court.

Trial Court record be returned immediately and report from the trial Court be called for 15.7.2024.

5. HC Avinash Chander of P.S Hajipur District Hoshiarpur moved an application for releasing his salary. Perusal of file shows that vide order dated 24.6.2024, salary of HC Avinash Chander was ordered to be attached till further orders as he could not serve the summons issued by this Court. Since, the summons of respondent No.1/ complainant could not be effected by said HC Avinash Chander, due to the reasons that she is not residing at the given address, so his salary is ordered to be released forthwith. Intimation in this regard be sent to the quarter concerned.

Announced:
Dated: 01.07.2024.

(Karamjit Singh Sullar),
Additional Sessions Judge
Hoshiarpur (UID No.PB0141)

Kulvinder Singh JW