

In the court of Amarjot Bhatti, Sessions Judge, Hoshiarpur.
(UID PB0019)

Bail application No.232,dated 3.8.2020,
(CIS BA No.1604 of 2020),
CNR No.PBHO010039102020,
Date of decision: 7.8.2020.

Lachhmi Kumal, aged 15 years, daughter of Lalit Kumal, resident of VPO
Piplanwala, Police Station Model Town, District Hoshiarpur.
.....Accused/applicant.

Versus

State of Punjab. ...Respondent.

FIR No.143, dated 2.6.2020,
Under section 306/34 IPC,
PS Model Town Hoshiarpur.

(Second Application for anticipatory bail)

Present: Shri DDS Nayyar, counsel for accused/applicant;
Shri Pawan Preet Singh, Addl.PP for the State .

ORDER

Lachhmi Kumal has filed this second application seeking pre-arrest bail in case FIR No.143, dated 2.6.2020, under section 306/34 IPC, Police Station Model Town Hoshiarpur

2. The facts of the case are that Raj Kumar gave statement to the police that on 1.6.2020 at about 11.00 AM, his brother Ajay Kumar came home and he was under fear. He disclosed that on that day mother of Lachhmi had called him to her house and told him to leave her daughter. His brother disclosed that even his daughter Lachhmi loved him. The mother of Lachhmi had already called her neighbour Gaurav, who started beating his brother. His brother Ajay Kumar escaped from there. At about 7.00 AM, he left the house

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and returned home at 8.30 AM. He disclosed that he had consumed poison due to the harassment caused to him by Lachhmi, her mother Devi Kumal and neighbour Gaurav. He was taken to Civil Hospital, Hoshiarpur, where he ultimately died. Later on from the worn clothes of his brother, a suicide note was recovered. With these allegations the present FIR has been registered.

3. The counsel for applicant argued that the applicant is juvenile. Copy of her Aadhar Card is placed on the record to confirm this fact. It is argued that the applicant is ready to join the investigation. The allegations against her are false. She has no role to play in the said occurrence. Therefore, her anticipatory bail application may be allowed.

4. The bail application is opposed by the Addl. Public Prosecutor .

5. I have gone through the record. The first anticipatory bail application of the applicant was withdrawn and this is the second anticipatory bail application of the present applicant. As per copy of Aadhar Card, the present applicant is minor. The anticipatory bail application of her mother Devi Kumal was declined by this court vide order dated 29.7.2020. Considering the fact that the applicant is a juvenile, therefore, a lenient view is taken and her anticipatory bail application is allowed. She be not arrested. In case she is arrested by the police, she be released on bail by the Investigating Officer on furnishing bail bonds in the sum of ₹30,000/- with one surety of the like amount and in case she prefers to surrender before the court of Ilaka/Duty Magistrate, she be released on bail on same terms and conditions with further direction to join investigation with the police as and when required under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 and the rules framed thereunder. She will not tamper with the prosecution evidence and she will not leave the country without prior permission of the court. Police

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record be returned with the copy of this order. Requisitioned record be also returned. Bail application file be consigned to the record room.

Announced.

Date of order: 7.8.2020.
Anil Kumar, E.A

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Present: Shri DDS Nayyar, counsel for accused/applicant;
Shri Pawan Preet Singh, Addl.PP for the State .

Police record produced. Requisitioned record also received. Arguments heard. Vide separate detailed order of today, bail application has been allowed. Police record be returned with the copy of order. Requisitioned record be also returned. Bail application file be consigned to the record room

Announced.
Date of order: 7.8.2020.
Anil Kumar, E.A

(Amarjot Bhatti),
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