

Jugraj Singh @ Jagjit @ Yuvraj vs State BA CIS No.1616 of 2018
CNR No. PBHO010048692018

Present: Shri ML Rahanu, Advocate for applicant-accused
Shri BL Anmol, Addl. PP for the State

Accused-applicant Jugraj Singh @ Jagjit @ Yuvraj, has sought regular bail in FIR No.134 dated 13.7.2018, under Section 376, 420 IPC, PS Model Town, Hoshiarpur.

2. Accused-applicant has been booked in the present FIR on the basis of statement of complainant/prosecutrix, wife of Manoj Kumar, resident of village Sataur, PS Haryana, presently resident of Bajwa Enclave Colony, near Bajwa Brick Kiln, Fatehgarh Road, PS Model Town, Hoshiarpur, aged 26 years, recorded on 13.7.2018, to the effect that the marriage of complainant was solemnized with Manoj Kumar son of Vijay Kumar, resident of Sataur on 17.10.2011. From the wedlock, a girl child, presently aged about 2½ years was born. In the year 2017, Manoj Kumar, husband of complainant went to Bahrain and in his absence, complainant came into contact with Jugraj Singh @ Jagjit @ Yuvraj, son of Mukhtiar Singh, resident of Gobindpura Nagri, PS Chhajli, District Sangrur, through Internet and both of them became friends. On 7.3.2018, Jugraj Singh came to Hoshiarpur and the complainant visited Shiraz Hotel to meet Jugraj Singh, where both of them established physical relations. Jugraj Singh stayed in Hoshiarpur for one month and met the complainant at different places, during which period, both of them established physical relations. During that period, Jugraj Singh won the confidence of complainant and took her gold chain from her and returned to Sangrur. On reaching home, he allured the complainant to lend him ₹10,000/-, upon which the complainant deposited ₹5000/- each, on two occasions in the account of Jugraj Singh. In the month of May 2018, Jugraj Singh again came to Hoshiarpur and met the complainant in Shiraz Hotel, where both of them established physical relations with her consent. At that time, Jugraj

Singh revealed that he is Immigration Officer and the complainant discussed the matter of settlement of her husband in foreign country upon which Jugraj Singh undertook to send the husband of complainant to New Zealand and demanded money for the same. Then complainant deposited some money in the account of Harpreet Kaur. Jugraj Singh thus extracted ₹2½ lakhs and her gold chain and fraudulently established physical relations with her. Action be taken.

3. The learned counsel for the accused-applicant has prayed that on the very face of it, relationship between the complainant and the accused was consensual in nature and that no offence under Section 376 IPC is made out. Regarding the offence under Section 420 IPC, it is prayed that actually the husband of complainant had some outstanding towards Jugraj Singh and different amounts in this regard were being deposited in the account of Jugraj Singh by the complainant and her husband. However when the husband of complainant failed to clear the remaining amount, false case has been foisted upon the accused in order to blackmail him.

4. The learned Addl. PP for the State has opposed the bail application on the ground of gravity of offence.

5. I have given careful thought to the respective submissions and have also keenly gone through in the investigation record. So far as the offence under Section 376 IPC is concerned, there is no denying the fact that the complainant herself is a married lady, who, as per her own allegation, had been meeting Jugraj Singh accused-applicant on various occasions with her own consent. With respect to the money transactions between the two sides and the purpose of said money transactions, the same would be matter of evidence. Accused-applicant is in custody since 13.7.2018. The presentation of challan and conclusion of trial would take some time. In these circumstances, without commenting on the merits

of the case, the accused-applicant is ordered to be released on regular bail to the satisfaction of learned Illaqa/Duty Magistrate, subject to the following conditions:

1. That the accused shall not tamper with prosecution evidence.
2. That the accused shall not leave the country without prior permission of the Court.
3. That the accused shall appear in the trial court on each
and every date of hearing.

6. The bail application is, thus, allowed. Police record be returned. File be consigned to the record room.

Announced/13.8.2018

baljinder

(Priya Sood)
Addl. Sessions Judge
Hoshiarpur
UID No. PB0065