

IN THE COURT OF MRS. MANJOT KAUR (PB-0097)
ADDITIONAL SESSIONS JUDGE
(EXCLUSIVE COURT FOR HEINOUS CRIMES AGAINST
WOMEN), PATIALA

Filing No. BA200 of 2019
CNR No. PBPT01000668/2019
Date of Order: 30.1.2019

Sunil Kumar and others Vs. State of Punjab.

Application for bail u/s 438 Cr.P.C

Present: Sh. S.L. Agnihotri, advocate, counsel for the
applicants.
Sh. Rakesh Goyal, Ld. Addl. PP for the State
SI Geeta Rani, No.24/RRT, P.S.Shambhu.

ORDER

1. This order of mine shall dispose of an application U/s 438 Cr.P.C., for grant of bail filed by applicants Sunil Kumar and Sandeep Kumar in case FIR No.10 dated 11.1.2019 under section 323/354/380 I.P.C, P.S City, Rajpura.

2 Upon notice, Ld. Addl. Public Prosecutor assisted by the investigating officer has appeared to represent the State and to contest the bail application.

3. I have heard learned counsel for the applicant and learned Addl. PP for the State and have gone through the record carefully.

4. As per statement made by SI Geeta Rani bail applicants have joined investigation on 29.1.2019 but recovery of stolen articles has yet not been effected. It is noteworthy and has so been specified in the interim order dated 23.1.2019 passed by this court that controversy between the parties is with regard to the possession of a house. As regards two

brothers in law of complainant having outraged her modesty, no specific date, month and year has been given with regard to the same. In the said circumstances, custodial interrogation of the bail applicants is not required. Accordingly order dated 23.1.2019 vide which bail applicants have been granted interim bail is hereby made absolute subject to the conditions laid down in Section 438(2) (i) (ii) and (iii) of the Code of Criminal Procedure. However, it is made clear that in the event of their absence on any date of hearing, the benefit of bail allowed to the applicants shall stand withdrawn and the trial court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality, the applicants shall have to apply for bail afresh.

Police file be returned. This file be consigned to the record room.

**Announced
Dated 30.1.2019**

**(Manjot Kaur)(PB-0097)
Additional Sessions Judge
Patiala**

**Typed by Seema Rani
Stenographer-II.**