

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

Filing No. BA199 of 2019
CNR No. PBPT01000669/2019
Date of Order: 30.1.2019

Kanta Devi Vs. State of Punjab.

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

Present: Sh. S.L. Agnihotri, advocate, counsel for the
applicant.
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 applicant Kanta Devi in case FIR No.10 dated 11.1.2019 under section 323/354/380 IPC, 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 applicant has 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 applicant is not required. Accordingly order dated 23.1.2019 vide which bail applicant has 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clear that in the event of her absence on any date of hearing, the benefit of bail allowed to the applicant shall stand withdrawn and the trial court shall be competent to cancel her bail bonds and surety bonds and proceed to procure her presence in accordance with law. In that eventuality, the applicant 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.**