

**IN THE COURT OF SHRI ARUN KUMAR AGGARWAL
ADDITIONAL SESSIONS JUDGE, LUDHIANA
(UID NO.PB0196)**

Bail Application No.260
Date of Institution : 18.04.2019
CNR No.PBLD01-015616-2019
CIS No.BA-2715 of 2019
Date of Order : 26.04.2019

STATE

VERSUS

SARABJEET SINGH GILL SON OF KIRPAL SINGH NAMED IN THE FIR
AS SARABJIT SINGH SON OF HARPAL SINGH ALIAS RASHPAL
SINGH RESIDENT OF VILLAGE GHAWADDI, DISTRICT LUDHIANA.

ACCUSED-APPLICANT

**FIR No.02 dated 09.01.2019
Under Sections 406, 498-A Indian Penal Code;
Police Station Women Cell, Ludhiana.**

BAIL APPLICATION UNDER SECTION 438 CR.P.C.

Present : Sh.Puneet Jaggi, Additional PP for State;
Sh.Shamsher Singh Lohat, Advocate Counsel for
applicant-accused;
Sh.Gurcharanjit Singh, Advocate for complainant;

ORDER

The present application for grant of anticipatory bail
under Section 438 Code of Criminal Procedure has been filed by
applicant-accused Sarabjeet Singh Gill son of Kirpal Singh named

Arun Kumar Aggarwal, Additional Sessions Judge, Ludhiana
Dated : 26.04.2019

in the FIR as Sarabjit Singh son of Harpal Singh alias Rashpal Singh resident of village Ghawaddi, District Ludhiana in FIR no.02 dated 09.01.2019 under Section 406, 498-A Indian Penal Code, Police Station Women Cell, Ludhiana.

2. Upon notice learned Additional Public Prosecutor for the State put in appearance and contested the bail application. Sh.Gurcharanjit Singh, Advocate appeared on behalf of the complainant to assist the prosecution.

3. Arguments heard. The FIR in the present case has been got registered by Balveer Singh son of Nahar Singh father of Kirandeep Kaur who was married with Phalpinderjit Singh son of the applicant-accused. The allegations have been made in the application regarding maltreatment of Kirandeep Kaur in connection with demand of dowry. The facts of the case need not be discussed in detail, because as contended on behalf of the applicant-accused the matter has been compromised and copy of compromise dated 17.04.2019 has been placed on the file, which is not disputed by learned Counsel for the complainant. Even as per the direction given by this court vide order dated 08.04.2019, the

applicant-accused has already joined the investigation. Learned Additional PP for the state submitted that some recovery is still to be effected. The applicant-accused is the father-in-law of Kirandeep Kaur and the recovery if any, can be effected even without the arrest of the applicant-accused. In the considered opinion of this Court, the custodial interrogation of applicant-accused is not required and the present application merits to be allowed.

4. For the reasons recorded above, the present bail application is allowed. The order dated 08.04.2019 is hereby made absolute. The applicant-accused shall abide by the conditions under Section 438 (2) of Code of Criminal Procedure, 1973 and shall abide by the following conditions:-

- a) the applicant-accused shall join the investigation as and when called upon to do so by SHO/Investigating Officer of Police Station Women Cell, Ludhiana;
- b) the applicant-accused shall not leave India without the prior permission of the Court;
- c) the applicant-accused shall not 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.

A copy of this order be sent to learned Illaqa Magistrate and SHO Police Station Women Cell, Ludhiana for necessary information. Present file is ordered to be consigned to the Record Room.

Pronounced in open Court

Dated : 26.04.2019

(Stenographer: Pankaj-Gr.III)

Directly dictated

**Arun Kumar Aggarwal,
Additional Sessions Judge,
Ludhiana (UID No.PB-0196)**