

PBTT010055122023



Presented on : 08-09-2023
Registered on : 11-09-2023
Decided on : 20-09-2023
Duration : 0 years, 0 months, 12 days

**IN THE COURT OF NEETIKA VERMA (UID No. PB0209)
ADDITIONAL SESSIONS JUDGE, TARN TARAN**

**Bail Application no. 2699 of 2023
Date of Order :20.09.2023**

Ramanjeet Singh s/o Bakshish Singh r/o village Nikki Sarali, Sarali
Mandan, Teshil Patti, Distt. Tarn Taran.

.....Accused/petitioner

Versus

State.

(First Bail application under Section 439 Cr.P.C.)

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F.I.R.No. 123 dated 14.07.2023
Under Section : 377,498-A,406,511,34 IPC
Police Station : Sadar Patti.

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Present : Sh. Deepak Arora Advocate, learned counsel for
the accused-applicant.
Shri Satinderjit Singh Gill, learned Additional Public
Prosecutor for the State assisted by Sh. H.S Sandhu, Adv
counsel for complainant.
ASI Bakshish Singh No. 630/Tarn Taran alongwith police
record.

O R D E R

The above named accused has filed application for grant of
regular bail under Section 439 of Criminal Procedure Code (hereinafter
referred to as Cr.P.C.), in case FIR No:123 dated 14.07.2023, Under
Section : 377,498-A,406,511,34 IPC, Police Station : Sadar Patti.

2. Notice of the bail application was issued to the State and police record was requisitioned.

COMPLIANCE OF DIRECTIVE CONTAINED IN ORDER DATED 28.07.2021 PASSED BY HON'BLE PUNJAB AND HARYANA HIGH COURT IN CRM-M-1695-2021

3. Carried out. Report of investigating officer attested by the Additional Public Prosecutor about pendency of or of any former adjudication of bail application before or by any Court under the provisions of Cr.P.C and the result thereof received. The bail application under Section 438 of Cr.PC of co accused namely Bakshish Singh and Sukhwinder Kaur @ Sukho were allowed. Ahlmad had reported the same.

ABSTRACT OF FIR:

4. The present FIR was registered on the statement of complainant Amandeep Kaur w/o Ramanjit Singh. The allegations put-forth by the complainant against Ramanjit Singh, husband, Gurmeet Kaur, Sukho and Bakshish Singh and mediators namely Shabo and Ajmer Singh are that she was constantly harassed and tortured by her in laws and dowry demands were raised. It has also been alleged by her that at the time of marriage, her parents had given sufficient dowry articles to her in laws family. After marriage, the complainant started residing in her matrimonial home but her mother in law and sister in law started taunting her for having brought insufficient dowry. The in laws family also demanded bullet motorcycle from her parents. Thereafter, her in laws turned her out from her matrimonial home after giving beatings. On the basis of this statement, the FIR was registered against the accused. During inquiry, the complainant stated before the police that Ramanjit Singh

forced her for unnatural sex and made objectionable videos of complainant without her consent.

ARGUMENTS RAISED BY LEARNED COUNSEL FOR APPLICANT/ACCUSED:

5 Contention of learned counsel for the accused-applicant is that the accused-applicant being husband of the complainant, is innocent and has been falsely implicated in this case. There is no iota of evidence to connect the accused-applicant with the alleged crime. Nothing was recovered from him. No offence is made out against accused-applicant. The applicant/accused is no more required for further investigation and recovery purpose.

ARGUMENTS OF LEARNED ADDL. PUBLIC PROSECUTOR AND LEARNED COUNSEL FOR COMPLAINANT.

6. Notice of the bail application was given to the complainant and the state.

7. The main contention of learned Additional Public Prosecutor for the State assisted by Sh. H.S Sandhu, Adv counsel for complainant is that the accused-applicant along with co-accused (non applicant) left no stone unturned to make the life of complainant miserable. The complainant had been constantly physically tortured and mentally harassed and persistent demands of dowry were raised by the accused. Numerous efforts were made by the complainant to rehabilitate the parties but to no effect. The ld. APP for the State argued that the accused/applicant has wrongfully narrated the facts. It has been contended that no bail should be given to the applicant/accused.

DISCUSSION

8 Perusal of the file reveals that the allegations against the accused-applicant are that the applicant/accused along-with the other co accused(non applicant) had raised dowry demands from the complainant and physically assaulted her and caused mental torture and harassment.

9 Perusal of contents of the FIR further transpires that it is matrimonial dispute between the parties. The investigation is still pending and as regards the allegations of unnatural sex are concerned, the same are specifically hurled against the accused/applicant. It is alleged that the applicant being husband of the complainant also made objectionable videos of his wife. The provisions of law are meant to subserve the ends of justice and not to defeat them. The challan is yet to be presented against the accused/applicant and the court is of the opinion that the accused would try to tamper with the evidence of the prosecution if released on bail. In such an eventuality, keeping in view the nature of offence and the kind of allegations against the accused/applicant, he does not deserve the concession of bail.

CONCLUSION:

10 In view of above discussion and observations, the application under adjudication is dismissed. Nothing stated herein shall have any effect on the merits of the main case. Police record be returned. File be consigned to the record room.

**Pronounced in open court
Dated: 20.09.2023**

**Neetika Verma,
Additional Sessions Judge
Tarn Taran/UID-PB0209**

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Present : Sh. Deepak Arora Advocate, learned counsel for the accused-applicant.
Shri Satinderjit Singh Gill, learned Additional Public Prosecutor for the State assisted by Sh. H.S Sandhu, Adv counsel for complainant.
ASI Bakshish Singh No. 630/Tarn Taran alongwith police record.

Police record received today. Statement of ASI Bakshish Singh has been recorded. Arguments heard. Vide my separate detailed order of even date, the present bail application stands dismissed. Bail papers be consigned to the record room.

Pronounced in open court
Dated: 20.09.2023

Neetika Verma,
Additional Sessions Judge
Tarn Taran/UID-PB0209

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