

1. Harwinder Singh etc. Vs State

2. CNR No.PBFG010038082019

3.
of 2019

Bail application no.1101

4.

5. Present: Sh. AR Kanota, Advocate for applicant/accused

6. Ms. Anju Narula, Addl. PP for State

7. Sh. Abhishek Bhardwaj Adv. counsels for complainant.

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9. **O R D E R : -**

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1. The present bail application under section 438 Cr.PC has been filed on behalf of applicants/accused Harwinder Singh & Manjit Kaur in case FIR No.80 dated 10.10.2019, under Section 406,498-A IPC, P.S. Mulepur.

2. The learned counsel for applicants/accused argued that complainant Ritu Rani being wife of their son Rajbir Singh did not perform her duties in the matrimonial house. It was further argued that complainant Ritu Rani started maltreating the applicants and their son. The complainant Ritu Rani who is an employee in Block Development Panchayat Office, Sirhind always forced Rajbir Singh their son to live separately from the applicants and also put one another condition that even being separated from the applicants/accused and Rajbir Singh will not deal socially with his parents i.e. the applicants/accused as well as his sisters in future. The learned counsel for the accused/applicants further argued that Rajbir

Singh tried to make her understand his situation that he being dutiful son could not run away from his liabilities towards his parents i.e. applicants and other family

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members. It was further argued that the conduct of complainant Ritu Rani caused great mental and physical cruelty towards the applicants and due to this physical as well as mental pain the Rajbir Singh decided to part ways with the complainant Ritu Rani and filed divorce petition against the complainant. The complainant harassed, humiliated and pressurized the applicants, Rajbir Singh and other family members and moved false application before the SSP, Fatehgarh Sahib on false and vague allegations and got registered the present FIR.

3. Learned APP for State as well as learned counsel for the complainant strongly opposed the averments made in the bail application and vehemently contended that complainant Ritu Rani was married with Rajbir Singh on 26.01.2015 after spending huge amount on dowry articles. However, after sometime of the marriage applicants/accused, Rajbir Singh and his other family members started harassing complainant so as to pressurize her to bring more dowry from her parents. It was further stated that on 27.02.2016 one female child namely Ishmanrit Kaur was born and Rajbir Singh,

applicants/accused and his other family members again started harassing her that they wanted a male child. On 06.08.2016 applicants/accused and Rajbir Singh gave severe beatings to complainant. It was further argued that applicant Harwinder Singh father of Rajbir Singh is serving in Punjab police and threatening complainant as well as his family members to involve them

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in false criminal cases. It was further argued that applicants/accused and Rajbir Singh had committed fraud and life of innocent girl was ruined due to fraud, demand of dowry and torture committed by accused/applicants and Rajbir Singh and other family members. It was further contended that custodial interrogation of applicants/accused is necessary in order to elicit the entire truth and as such applicant does not deserve for leniency of bail.

4. I have heard the rival contentions of learned defence counsel, learned APP for State as well as learned counsel for the complainant and have gone through the file of learned lower Court carefully.
5. Specific attribution of cruelty as well as demand of dowry is against applicants/accused in FIR. Applicants/accused, who are father-in-law and mother-in-law of victim treated her with utmost cruelty so as to satisfy their lust of greed and dowry. Recovery of dowry articles is yet to be effected in this case and which does call for custodial

interrogation of bail applicants. In view of the above, application in hand stands dismissed. Bail application record be consigned to the record room.

Pronounced in open Court
Dated: 04.11.2019
Judge,
Sahib/UID-PB0100.

(Baljinder Sidhu),
Additional Sessions
Fatehgarh

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