

PBLDC1002253-2021



IN THE COURT OF RAJINDERPAL SINGH GILL
JUDICIAL MAGISTRATE IST CLASS, SAMRALA

CIS No.CHI-262 of 2021
CNR No.**PBLDC1002253-2021**
Date of institution : 29.09.2021
Date of decision: 23.04.2026

State

Versus

Kulvir Singh @ Jangi son of Parminder Singh Dang, resident of kothi no.2211, Phase-1, Dugri, Ludhiana, district Ludhiana.

... Accused

F.I.R. No.106 dated 15.06.2021
U/s 406/498A/506 of IPC
Police Station: Machhiwara Sahib
Tehsil Machhiwara Sahib, district Ludhiana

Present: Sh.Sandeep Kumar, APP for the State
Accused Kulvir Singh @ Jangi on bail with
Sh.Vipin Khera, Advocate

JUDGMENT

The aforesaid accused has been sent up by the officer in charge of Police Station Machhiwara Sahib to face trial for the offence punishable under sections 406/498A/506 of IPC

2. The present case has been registered against accused on the basis of application numbered 125-WC dated 30.03.2021 moved by complainant Manjinder Kaur w/o Kulvir Singh @ Jangi and D/o Darshan Singh R/o Village Mithewal, Tehsil Samrala District Ludhiana before Senior Superintendent of Police Khanna, District Ludhiana regarding

registration of case/FIR under section 406/498/323/506 of IPC against Kulbir Singh alias Jangi (Husband of the complainant), Gurwinder kaur (mother-in-law of the complainant), Gurpreet Kaur alias Nitu (sister-in-law of the complainant) and Arwinder Kaur alias Akkai (sister-in-law of the complainant). She narrated that earlier she has submitted a complaint dated 11/06/2019 for registration of case/FIR against the above stated persons and also against late Paramjeet Singh (deceased father- in-law of the complainant), which was got compromised by the relatives of the complainant and other respectable persons of the area. It is submitted that at the time of compromise it was agreed between the parties that Rs.60,000 as maintenance to the complainant to meet her family expenses and also to return the gold ornaments (Istridhan), besides, it was also agreed that they will arrange for residence of the complainant at the 1st floor of her in-laws house. It is submitted that subsequent to the compromise Kulbir Singh alias Jangi did not change his behaviour towards the complainant and in connivance with her mother/sister-in-law kept harassing her and subjected her to physical/mental cruelty. He often used to give beatings to the complainant and threatened to kill her. He even continued with his drug abuse and sold her numerous gold ornaments one by one forcibly for fulfilling his desire of drug abuse harassing her and subjected her to physical/mental cruelty. He often used to give beatings to the complainant and threatened to kill her. He even continued with his drug abuse and sold her numerous gold ornaments one by one forcibly for fulfilling his desire of drug abuse. Whenever the complainant used to take up the matter with her mother-in- law, then she used to provoke Kulbir Singh alias Jangi who then under the influence of

drug used to give her beatings. The sister-in-law of the complainant also used to beat her and hurled abuses during their visits to her in-laws house. It is submitted that even though the complainant was objected to the physical/mental cruelty in the above stated manner however, she kept and during the same for the well-being of her family. However, that is did no end there and her condition became even worst after her father-in-law Parminderjit Singh fell ill. 5.

3. It is further submitted that the in-laws family of the complainant taking advantage of the ill health of the father-in-law of the complainant not only stopped monthly payment for expenses, but also attempted to throw out. However, the complainant kept bearing all that for the welfare of children and family. But, the real intentions of her in-family became clear only after Kulbir Singh alias Jangi brought another woman named Manmit Kaur daughter of late Hari Singh resident of house No. 5-A/-9, Faridabad, Haryana, which was objected to by the complainant and when she questioned the above stated lady about her presence at her house then the said lady apologized to the complainant and further narrated that Kulbir Singh alias Jangi has brought her home on the pretext that his family doesn't live with him. Thereafter she left the house. The complainant wanted to report the matter with police, however the elders of her in-law family requested to her to not to file a complaint with police keeping in view the bad/ill-health of his father-in-law, who was admitted in hospital at that point of time and assured her to get settled the matter with her in-laws. As a matter of consequence the complainant did not report the matter with the police at that point of

time. It is submitted that in the meanwhile the father-in-law of the complainant passed away on 01/11/2020. Thereafter, Kulbir Singh alias Jangi and other family members of the complainant's in-laws family not only stopped paying her amount of 60,000 as agreed at the time of earlier compromise for meeting a daily need but also turned her out of the house. Likewise, they also sold the dining table, dinner set, sofa set, chairs and other household articles and misappropriate its proceeds. The said act of Kulbir Singh alias Jangi and his sisters amount to criminal breach of trust as well as criminal misappropriation proceeds of the said vehicle for which a separate complaint is being filed by the complainant and her son with Police Commissionerate, Ludhiana where the offence took place. On the basis of that FIR was registered. Accused was arrested. Statements of witnesses u/s 161 Cr.P.C were recorded and after completion of remaining investigation formalities, challan was presented against the accused.

4. On receipt of the challan, the requisite copies of the challan and other documents attached with it were supplied to accused free of cost in compliance with the provisions of Section 207 of Cr.P.C.

5. From a careful consideration of the facts mentioned in final report and evidence gathered during investigation, charge was framed against accused under sections 498/406/506 of IPC, which was read over and explained to accused in simple Punjabi language and accused pleaded not guilty to the charges and claimed trial.

6. Then, matter was fixed for prosecution evidence but prosecution has failed to examine any witness. Summons were issued to Manjinder Kaur complainant and her father Varinderpal Singh. Summons of Manjinder Kaur were received back with the report that she is abroad and father was served but he did not appear. Rather, Sh.Gurjit Singh Mithewal, Advocate for complainant suffered statement on 22.04.2026 as under:-

Stated that complainant/victim Manjinder Kaur and accused Kulvir Singh @ Jhangi have settled the matrimonial dispute between them by mutual consent and arrived at a compromise voluntarily. In view of the compromise, a decree of divorce by mutual consent has already been passed by Ld. Principal Judge, Family Court, Ludhiana vide order dated 22.09.2023. I am placing on record the copy of said divorce decree. In view of the compromise between the parties and in view of the decree of divorce by mutual consent the complainant/victim and her brother Varinderpal Singh who is also witness in this case are not interested to proceed further with the present case and not want to examine themselves as witnesses against the accused. The photocopy of decree of divorce is Annexure-A.

7. In view of the above statement, it was clear that complainant and her father are not interested to depose and the testimony of officials would not have helped the case of prosecution without the testimony of complainant and so prosecution evidence was closed by order on dated 22.04.2026. Therefore, statement of accused under section 313 Cr.PC

dispensed with as there was nothing incriminating against the accused person on the file, which could be put to the accused.

8. The main witness of the prosecution to prove this complainant were Manjinder Kaur complainant and her father Varinderpal Singh. Summons of Manjinder Kaur were received back with the report that she is abroad and father was served but he did not appear. Rather, Sh.Gurjit Singh Mithewal, Advocate for complainant suffered statement on 22.04.2026 as under:-

Stated that complainant/victim Manjinder Kaur and accused Kulvir Singh @ Jhangi have settled the matrimonial dispute between them by mutual consent and arrived at a compromise voluntarily. In view of the compromise, a decree of divorce by mutual consent has already been passed by Ld. Principal Judge, Family Court, Ludhiana vide order dated 22.09.2023. I am placing on record the copy of said divorce decree. In view of the compromise between the parties and in view of the decree of divorce by mutual consent the complainant/victim and her brother Varinderpal Singh who is also witness in this case are not interested to proceed further with the present case and not want to examine themselves as witnesses against the accused. The photocopy of decree of divorce is Annexure-A.

9. In view of the above statement, it was clear that complainant and her father are not interested to depose and the testimony of officials

would not have helped the case of prosecution without the testimony of complainant and so prosecution evidence was closed by order on dated 22.04.2026. Probably since the matter was compromised between the parties and even decree of divorce by mutual consent was passed by the court of Ms.Neelam Arora, Ld. Principal Judge, Family Court, Ludhiana vide judgment dated 22.09.2023 in case bearing no.HMA-1217 of 07.02.2023.

10. From the discussion of above facts and evidence, it is clear that prosecution has failed to prove the charges against accused. Accused Kulvir Singh stands **acquitted** from the charges framed against him. His bail bonds/surety bonds stand extended further for period of three months in case prosecution intends to file appeal/revision, if any. Case property, if any, be disposed of, as per rules after awaiting the period of appeal/revision, if any. Compliance of section 437A Cr.PC be made. File be consigned to the record room, Samrala.

Pronounced in open court
Dated: 23.04.2026
Direct typed on computer
Lalit Gupta, Stenographer-II

(Rajinderpal Singh Gill)
Judicial Magistrate Ist Class
Samrala (UID No.PB0464)