

Present: Sh. Paramjit Singh Sidhu, Adv. Counsel for the applicants-accused
Sh. Amandeep Prinja, Addl. PP for the State assisted by ASI
Nishan Singh, No.383/Moga P.S. Fatehgarh Panjtoor.

The present bail application has been filed by the applicants-accused Swarn Kaur and Uttamvir Singh for grant of anticipatory bail in case FIR No. 51 dated 20.08.2018 under section 498-A,406,495 IPC,PS Fatehgarh Panjtoor on the ground that the applicants-accused are innocent and they have been falsely implicated in the present case. The applicants-accused have apprehension of their arrest. Hence, a prayer for grant of bail has been made.

2. On the other hand, Ld. Addl. PP strongly opposed the bail application and he prayed for dismissal of the bail application.

3. Heard. Police record perused. As per contents of the FIR, law was set into motion on the statement of complainant Jugraj Singh son of Gurdiyal Singh who is the uncle of Rajdeep Kaur. Niece of the complainant Rajdeep Kaur was got married with accused No.1 Balwinder Singh Sidhu on 11.01.2018 as per Sikh Rites and Rituals. The present applicants-accused are mother in law and brother in law (jeth) of Rajdeep Kaur. Ld counsel for the applicants-accused contended that niece of the complainant namely Rajdeep Kaur and her husband accused No.1 Balwinder Singh Sidhu are residing at Melbourne (Australia) and some dispute has been taken place between them at Melbourne (Australia) and the present applicants-accused have been falsely implicated in the present case.

4. A perusal of police record nowhere shows the list of dowry articles alleged to be entrusted to the applicants-accused as well as co-accused. Nor any receipt/bill of dowry articles is on record. One photocopy of the intervention order dated 12.04.2017 passed by Magistrate Court Family Violence Protection Act 2008 has been placed on record showing the dispute between the niece of complainant namely Rajdeep Kaur and her husband

Balwinder Singh Sidhu accused No.1. Statement of the niece of the complainant Rajdeep Kaur has not been recorded by the police as yet. The applicants-accused are mother in law and brother in law of the niece of the complainant and they are apprehension of their arrest and they are ready to join the investigation.

5. Keeping in view the abovesaid facts and circumstances of the case, the anticipatory bail application of the applicants-accused is allowed and the applicants-accused are directed to appear before the Investigating Officer on 06.09.2018 at 11:00 A.M. sharp and thereafter as and when directed by the investigating agency. They shall fully co-operate with the investigation of the present case and in the event of their arrest, the applicants-accused shall be released on interim bail on furnishing bail bonds and surety bonds subject to satisfaction of IO/Arresting officer. The accused-applicant shall abide by the terms as envisaged under section 438(2) Cr.P.C.

6. Copy of this order be sent to the SHO/IO concerned for information and necessary compliance.

7. Now, case is adjourned to 11.09.2018 for awaiting report of IO/SHO concerned.

Pronounced
01.09.2018
(pawan)

(Lukhvinder Kaur Duggal)
Additional Sessions Judge,
Moga/UID No.PB0156