

**IN THE COURT OF SH. PUNEET MOHAN SHARMA
ADDITIONAL SESSIONS JUDGE, HOSHIARPUR
UID NO. PB0167**

CIS No. BA/1910/2022
CNR No. PBH001005637-2022
Date of order: 23.08.2022

**Daljit Singh aged 31 years son of Harbans Lal resident of village
Makowal, P.S Talwara, District Hoshiarpur.**

.....Applicant-accused

Versus

State of Punjab

.....Respondent.

FIR No. 59 dated 19.07.2022
U/s 498-A, 406 IPC
Police Station: Talwara Distt. Hoshiarpur.

(FIRST APPLICATION FOR ANTICIPATORY BAIL U/S 438 CR.PC)

Present: Sh. Hemant Kumar, Advocate counsel for applicant-accused.
Sh. Rajinder Singh Addl. PP for the State.

1. This order of mine shall dispose of an application filed by the applicant/accused Daljit Singh for grant of anticipatory bail in the above noted case.

2. The brief facts of the case of prosecution are that the present case was registered on the basis of application moved by complainant Sawita to the SSP, Hoshiarpur, in which she alleged that her marriage was solemnized with Daljit Singh on 8.12.2015. Her parents gave sufficient dowry articles at the time of her marriage but her in-laws were not satisfied with the same and were taunting her on the pretext of not

giving car in the dowry. She was being treated as a slave and she was not provided maintenance. Her father did not give a car but he gave Activa scooter which was not accepted to her in-laws. She was beaten up by her uncle Harjit Singh, who used to interfere a lot in their house. Accused Shobha Rani also used to interfere a lot in her daily life and husband of Shobha Rani demanded gold Kara for himself and gold set for Shoba Rani. The complainant further stated that whenever her husband came on vacation, he spend time with his friends and if she asked him, he used to beat her. In order to evict her and her daughter, accused gave a false application against her on 12.3.2018 to the Women Cell and on 26.3.2018 she was forced to sign on the compromise. Complainant further stated that in the month of August 2018 she was turned out of her matrimonial house and thereafter her husband filed divorce petition against her. She was threatened to kill and she was asked to bring Rs. 5 lakhs. She was not allowed to enter in her in-laws house after 30.8.2018. Her husband is having illicit relations with one lady namely Talwinder Gautam d/o Chamel Singh resident of village Koi, Tehsil Dasuya. With these allegation the present FIR was registered against the accused. Now apprehending his arrest the applicant-accused has moved the present application for anticipatory bail.

3. It has been argued by the learned counsel for applicant-accused that the applicant-accused is innocent person and he has been falsely implicated in the present case. The complainant is quarrelsome lady

and she used to misbehave with her husband and other family members. The complainant is residing separately at her own. He has further argued that there is no specific allegations and entrustment against the applicant-accused. The present FIR has been got registered by the complainant as a counter blast to the divorce petition filed by the applicant-accused. He has further contended that there are general and vague allegations in the FIR. The custodial interrogation of the applicant-accused is not required in this case and he ready to join investigation.

4. On the other hand, the learned Addl. PP for the State has opposed the bail application and prayed for dismissal of the same.

5. The applicant-accused is husband of the complainant and he is serving in the Army and posted at Chhattisgarh. There are no specific allegations of entrustment of istridhan and demand of dowry against the applicant-accused. Even otherwise it is stated in Court by ASI Jasvir Singh that major household Istridhan articles have already been recovered by the police. It is version of the learned counsel for applicant-accused that the complainant is of aggressive nature and therefore there remains quarrel in the family without any reason. The custodial interrogation of the applicant-accused is not required in this case. So, without commenting much upon merits and keeping in view the facts and circumstances as above, it would be in the fitness of things to admit the applicant-accused on interim bail. As such, the applicant-accused Daljit Singh is directed to join investigation within 7 days from today and on his doing so, he shall be released on bail by the investigating

officer/SHO to his satisfaction. The applicant shall cooperate with the investigating agency. The present order is subject to the condition as enumerated under section 438(2) Cr.PC. The prosecution shall have the right to approach this court in the event of non joining of the applicant-accused in the investigation as directed by this court. Nothing observed here in above shall have any bearing on the merits of the case and it shall not construed as an expression on merits in any manner. Police record be returned. File be consigned to record room.

Announced in open Court:
Dated: 23.08.2022.
kulvinder JW

(Puneet Mohan Sharma),
Additional Sessions Judge
Hoshiarpur/(UID No.PB0167).

Daljit Singh Vs State

Present: Sh. Hemant Kumar, Advocate counsel for applicant-accused.
Sh. Rajinder Singh Addl. PP for the State.

Arguments heard. Vide my separate detailed order of even date, the bail application filed by applicant/accused has been allowed, as stated therein. Police record be returned and file of bail application be consigned to record room.

Announced in open Court:
Dated: 23.08.2022.
kulvinder JW

**(Puneet Mohan Sharma),
Additional Sessions Judge
Hoshiarpur/(UID No.PB0167).**