

Karnail Singh etc. Vs State of Punjab.
CIS No.BA/1780/2020
CNR No. PBFZ010033512020.

Present: Sh. N.K. Sharma, Advocate counsel for the applicants/
accused.
Sh. Balwinder Singh, Addl. PP for State assisted by
Sh. APS Dhanju, Advocate, counsel for the complainant.
(All through video link)

The present bail application presented before the undersigned
being Duty Judge.

2. Today, counsel for the applicants made statement that he does
not want to proceed further with the bail application on behalf of applicant
No.6 Mangal Singh and the same may be dismissed as withdrawn. In
view of the statement made by the counsel for the applicants, the bail
application qua applicant No.6 Mangal Singh is dismissed as withdrawn.

3. Applicants Karnail Singh son of Banta Singh, Swaran Kaur
wife of Karnail Singh, Narinder Pal Singh son of Karnail Singh, ?Surjit
Kaur @ Reena wife of Des Raj, residents of village Saleempur, District
Hoshiarpur, Parwinder Kaur alias Sonia wife of Rinku, resident of village
Begowal, Tehsil Bholath, District Kapurthala and Mangal Singh son of
Karnail Singh, resident of village Saleempur, District Hoshiarpur through
his special attorney Swaran Singh, have filed the present application
under Section 438(i) Cr.P.C. in FIR No.9 dated 05.10.2018, PS Women
Cell Ferozepur under Sections 498-A/406/420 IPC.

4. It is averred in the application that a false case has been
registered against the applicants/accused. A compromise has already been
effected between the parties on 09.04.2019, which has been reduced into
writing. The applicants are ready to join the investigation. It is further
submitted that applicant No.6 Mangal Singh is presently residing in Spain
and has filed the present bail application through his special attorney
Swaran Singh. Consequently, a prayer has been made to grant anticipatory
bail to the applicants.

5. Upon notice, Sh. Balwinder Singh, Learned Additional PP for
State has appeared on behalf of the State-respondent and contested bail
application. Police record was summoned and perused.

6. Learned counsel for applicants/accused has contended as per the lines as mentioned in the bail application. He further contended that custodial interrogation of applicants/accused is not required and the applicants/accused will not misuse the concessions of the bail, if so granted by the Court and shall abide by all the conditions, which may be imposed by the Court . It was prayed that application be allowed.

7. On other hand, learned Additional PP for the State has argued that serious allegations are levelled against the applicants/ accused. It was prayed that application be dismissed.

8. This Court has heard counsel for the applicants/accused, learned Additional PP for the State and have gone through the record on file.

9. On perusal of record, it has been revealed that the present case has been registered against the applicants/accused, on the basis of an application moved by Amanjeet Kaur, who is daughter in law of applicants No.1 & 2. Applicants No.3 to 5 are the sisters in law of the complainant. She has levelled allegations of harassment and cruelty on the demand of dowry raised by the applicants. Only general and vague allegations have been levelled against the applicants regarding raising of demand of dowry and harassing her for bring more dowry being relatives of the husband of the complainant. It has also come on record that husband of the complainant has been residing in abroad and she has taken exparte divorce from him.

10. Even Sh. APS Dhanju, Advocate, has appeared on behalf of complainant Amanjeet Kaur and made statement that a compromise has been effected between the complainant and the accused/applicants and that he has got the instructions from the complainant that she does not want to proceed against the accused/applicants and has no objection, if the present bail application is allowed.

11. So, taking into consideration all the above facts and circumstances of the case, and without commenting upon the merits of the present case, it is the fit case to grant interim bail to the applicants No.1 to 5. Furthermore, as the custodial interrogation of the said applicants is not required and they are ready to join the investigation and undertook to

cooperate the Investigating Officer. Accordingly, in the event of their arrest, applicants No.1 to 5 shall be admitted to **interim bail** to the satisfaction of the Investigating Officer on or before 29.08.2020 with the following conditions:-

- (i) the applicants shall make themselves available as and when required by the Investigating Officer,
- (ii) the applicants shall not induce/threat any of the prosecution witness or tamper with the evidence in any manner,
- (iii) the applicants shall not leave India without prior permission of this court.

12. Report of Investigating Officer be called for 29.08.2020.

Dated: 26.08.2020.

anil kumar
Stenographer Gr.II.

(Rajni Chhokra)
Addl. Sessions Judge,
(Fast Track Court, exclusively
dealing with rape cases) Ferozepur
UID No. PB0168. (Duty).