

**IN THE COURT OF SH.AVTAR SINGH, ADDITIONAL  
SESSIONS JUDGE, S.A.S. NAGAR, (MOHALI). (UID  
NO.PB00086)**

B.A. CIS no. 1712 of 2023  
CNR No. PBSA01-004626-2023  
Decided on.19.06.2023

Niranjan Singh Saini @ Niranjan Singh, aged about 66 years, son of  
Sardara Singh Saini, resident of House No. 687, Hallo Majra, Chandigarh,  
presently residing at House No. 1014, Preet Colony, Zirakpur, Tehsil  
Derabassi, District SAS Nagar, (Mohali), Punjab.

.....Accused/applicant.

Versus.

State of Punjab

.....Respondent.

FIR No. 0160 dated 21.05.2023  
U/s.406, 498-A of IPC  
P.S. Derabassi, District SAS Nagar

**Bail application under Section 438 Cr.P.C.**

----

Present: Sh. Varun Sharma, Adv, counsel for accused/applicant  
Sh. Ravinder Singh, Addl. PP for the State  
Complainant Sandeep Kaur in person.

**ORDER:-**

1. This order of mine shall dispose of the bail application filed  
by applicant seeking anticipatory bail in terms of Section 438 Cr.P.C.  
arising out of above said FIR.

As per report of concerned alhmed, nothing is  
pending/decided against applicant in Hon'ble Punjab and Haryana High  
Court, Chandigarh in the present case/FIR.

2. Notice of bail application was issued to the State and learned  
Addl. PP for the State has put in appearance. Complainant Sandeep Kaur  
put in appearance. Record of investigation summoned and received.

3. I have heard the learned Counsel for accused/applicant, learned Addl. PP for the State assisted by the complainant and also perused the record.

4. The brief facts of the prosecution story in nutshell are that the present FIR was registered on the statement of complainant Sandeep Kaur against Sarabjit Singh, Niranjana Singh, Rinki. That the dowry articles were given to the accused but the accused were harassing her. They were beating her. They also sprinkle oil on the complainant but she saved herself while entering into other room. The accused keep Rinki alongwith her husband in their house. The accused also played fraud with the complainant as they stated that accused is working in the company. Later on it was revealed that he is not working and he used to take the liquor and used to commit the cruelty with the complainant. Moreover, the father of the complainant who was suffering from the cancer also could not meet the demands of the accused party and he remained under depression and he died on 15.10.2022. On the complaint, the investigation was initiated and offence was made out under Sections 406, 498-A of IPC.

This Court gave the notice to the complainant to affect the compromise between the parties but despite sincere efforts, the compromise could not be effected between the complainant and the accused who come present in the court.

5. Learned counsel for the accused/applicant argued that the accused/applicant has been implicated in the false. He is senior citizen. He has nothing to do with the matrimonial life of Sandeep Kaur and her

husband Sarabjit Singh. The wife of the applicant suffering from brain hemorrhage and she is bed ridden. He be granted bail.

6. On the other hand, the learned Addl. PP for the state assisted by the complainant herself argued that the the complainant was married to Sarabjit Singh. Although, the accused/applicant Niranjn Singh is father-in-law of the complainant but he is the kingpin who instigated his entire family for demanding the dowry articles from the complainant. On their demands, the father of the complainant was under depression who was also suffering from the cancer. He could not meet the demands of the accused party. In last, his precious life was lost on 15.10.2022.

Learned Addl. PP for the state assisted by the complainant argued that Niranjn Singh being father-in-law of the complainant and father of Sarabjit Singh concealed the material facts from the complainant that Sarabjit Singh is serving in some company but he is unemployed and he used to take liquor and used to beat the complainant.

Learned Addl. PP for the state assisted by the complainant further argued that the grievance of the complainant also aggravated when Niranjn Singh allowed his daughter who was married to stay in the house of the accused. Rinki alongwith her husband while staying in the matrimonial house of the complainant used to harass the complainant, so the bail application of the accused must be dismissed. If the bail is granted, the recovery of the dowry articles could not be effected and accused can flee India and he will influence the investigation agency and he can dissuade the prosecution witnesses. He further argued that the

accused/applicant is not entitled for the extraordinary relief of anticipatory bail. He prayed for dismissal of the bail application.

7. From the submissions of learned counsel for the accused/applicant, learned Addl. PP for the state assisted by the complainant and from the record of police file, it is clear that Sandeep Kaur was married to Sarabjit Singh. Sufficient dowry articles were given at the time of marriage. The allegations against Sarabjit Singh is that her parents concealed the material facts and they committed the fraud with the complainant that Sarabjit Singh is serving in company while he was unemployed and he used to take the liquor and he used to beat the complainant. It is also allegations against Sarabjit Singh including the present applicant Niranjana Singh that they used to beat the complainant for bringing the insufficient dowry articles. The allegations against the accused/applicant are that he also allowed her daughter named Rinki and her husband to stay in the matrimonial house. This also aggravate the grievance of the complainant because they were interfering into the matrimonial life of Sandeep Kaur and Sarabjit Singh. Moreover, the allegations against the accused party are that they were demanding the dowry articles. This create depression in the mind of the father of the complainant and he died due to the frequent demands of the accused party. There are specific allegations against the accused which are serious in nature. If the bail is granted, then the recovery of dowry articles could not be effected. The accused can influence the investigating agency and he can also dissuade the prosecution witnesses from their true testimonies.

8. Thus, keeping in view the facts and circumstances mentioned

above as well as in view of the seriousness of allegations against the accused/applicant and gravity of the offence, no exceptional circumstance for grant of anticipatory bail to the accused/applicant is made out and accordingly, the bail application is hereby dismissed. Record of the investigation be returned. File be consigned to the record room.

Pronounced:  
19.06.2023

(Avtar Singh)  
Addl. Sessions Judge,  
S.A.S. Nagar, (Mohali).  
(UID no. PB00086)

Bhupinder Singh  
Stenographer-II