

IN THE COURT OF Ms. ANSHUL BERRY,
ADDITIONAL SESSIONS JUDGE,
FATEHGARH SAHIB.
(UID No. PB0095)

CIS No. BA/1429/2023
CNR No:PBFG01004843-2023
Date of order: 19.12.2023

Jasvir Singh, aged about 36 years, S/o Ajaib Singh, resident of Vill.
Mandaur, Tehsil Nabha, Distt. Patiala.

..... Applicant

Versus

State of Punjab

.....Respondent

FIR No.0071 dated 08.10.2023
Under Section 406, 498-A, 506, 34 IPC
Police Station Mulepur

Bail application u/s 438 Cr.P.C.

Present: Sh. Lalit Kumar Kundrao for the applicants.
Sh. Harkirat Singh, Ld.Addl.PP for the State.

ORDER

1. This is the first bail application u/s 438 CrPC in above mentioned FIR, filed by the applicants/accused, in which it is stated that applicant is a peace loving and law abiding citizen of India, having no

criminal background. Nothing is to be recovered from the applicant by the police in this case as no dowry article of the complainant is in possession of the applicant. No offence is made out against the applicant and further applicant has no concern or connection with the allegations leveled by the complainant in the above mentioned FIR against the applicant. The complainant threatened the applicant and his parents to involve in some false criminal case, so, he be granted anticipatory bail.

2. **Notice** of the bail application was given to the State. Record has been requisitioned.

3. The **brief facts** of the the prosecution case are that one Kiranpal Kaur W/o Hardam Singh, R/o Village Nalini, Tehsil and Distt. Fatehgarh Sahib, moved an application before SSP, Fatehgarh Sahib, and during inquiry she suffered statement that she had married with Gurwinder Singh on 05.03.2014 and one daughter namely Amanjot Kaur was born and she is seven years of age. Her husband Gurwinder Singh had died due to neck cancer in the year of 2018. After the death of her husband and with the consent of both the families, the complainant Kiranpal Kaur was settled with the younger brother of Gurwinder Singh namely Jasbir Singh (bail applicant). At the time of said ceremony, Jasbir Singh accepted the

complainant and her daughter and the father of complainant also said that whatever he had already given to the complainant and he is not able to anything right now. At that time one gold ring was given to Jasbir Singh and ear rings were given to the complainant. After sometime later, the bail applicants started taunting her that their son had died due to complainant. The bail applicants instigated Jasbir Singh to create the dispute with the complainant and Jasbir Singh gave beatings to the complainant. Jasbir Singh asked the complainant that he can not bear the expenses of the daughter of the complainant. Jasbir Singh demanded the bullet Motorcycle. Jasbir Singh harassing the complainant on the instigation of the bail applicants. The complainant moved one application before SSP, Fatehgarh Sahib, which was marked to Women Cell, in which the compromise has been effected. Then complainant went to house of her in-laws family. In February 2023, the mother of complainant had died. On that occasion, Jasbir Singh never visited the house and also threatened the complainant not to return back his home. Jasbir Singh gave threats to the complainant and demanded the dowry and also caused beatings to the complainant. Hence the present case has been registered against the bail applicant.

4. After giving my careful consideration and gone through the file

carefully, interim bail for the purpose of mediation has already been granted to the bail applicant vide order dated 30.11.2023 and report from mediation centre received being unsettled.

5. Ld. counsel for the applicant has argued that applicant has been falsely implicated in this case. He has no concern or connection with the alleged offences. He is ready to join investigation. So, the applicant be granted anticipatory bail.

6. On the other hand, Addl.PP for the State assisted by Ld. Counsel for complainant argued that the offence committed by the bail-applicant is serious in nature, so, he does not deserve the leniency of bail and prayed for dismissal of the application.

7. After giving thoughtful consideration to the contentions of the Ld. Counsel for applicant/accused and Ld. Addl. PP for the State, in view of the facts and circumstances mentioned above, and in the interest of justice, the bail-applicant is admitted to **interim bail** under sections and he is directed to join investigation with the Investigating Officer on or before 22.12.2023 subject to the compliance of section 438 (2) Cr.P.C.

8. Report of I.O. be called for 22.12.2023.

9. In the event of non compliance of directions issued vide this

order, the Investigating Officer may proceed as per law.

Pronounced in open Court.

Dated: 19.12.2023

**(Anshul Berry),
Addl. Sessions Judge,
Fatehgarh Sahib.
UID No:PB0095**

*Harwinder Singh
(Stenographer-II)*