

In the Court of Jaswinder Sheemar,
Additional Sessions Judge, Fatehgarh Sahib.

BA No. 1577 of 19.12.2022
CNR No:PBFG010053202022
Decided on:- 23.12.2022

FIR No. 247 dated 01.11.2022
Under Section 306, 34 of IPC
Police Station Mandi Gobindgarh

Anticipatory Bail Application Under Section 438 Cr.P.C.

Harpreet Singh aged about 33 years son of Gurjit Singh resident of House no.8, Ward no.08, Backside of Warehouse, Khamano, Tehsil Khamano, District Fatehgarh Sahib.

....Applicant

Versus

State of Punjab.

....Respondent

Present: Shri A.R.Kanota Advocate, for the applicant.
Sh. Harkirat Singh, Ld. Addl.Public Prosecutor for the State.

ORDER:

1. This is **anticipatory** bail application U/s 438 of Cr.P.C filed on behalf of **Harpreet Singh** (hereinafter referred as **bail applicant**), in the above said FIR.

Jaswinder Sheemar,
ASJ, Fatehgarh Sahib, UID No. PB0093

2. **Notice** of the bail application was issued to the State through Ld. Additional Public Prosecutor of the State, who put in appearance and contested the bail application.

3. The police record was requisitioned and perused.

4. I have heard the Ld. Addl.PP for the State and the Ld. Counsel for the bail applicant and gone through the police record with their kind assistance.

5. It comes out to surface that **Nirmaljit Singh (complainant/ informant)**, who is none else but brother of Loveleen Kaur (deceased), has set the police machinery into motion by way of getting registered **FIR No.247 dt. 01.11.2022, u/s 306, 34 of IPC**, against **Harpreet Singh (husband/ bail applicant) and Charanjit Kaur (mother-in-law)**.

6. The complainant/ informant (brother) of Loveleen Kaur (deceased) has levelled allegations that marriage of his sister Loveleen Kaur was performed with Harpreet Singh (husband/ bail-applicant) son of Gurjit Singh resident of House no.8, ward no.3, backside Godown Khamano, District Fatehgarh Sahib, on 30.11.2020, and at the time of

marriage dowry articles beyond their capacity and a Celerio car was given to the accused. The accused stated to be taunting deceased that they already had such car and she would have brought a luxury car. The deceased has disclosed to the complainant about this fact. After 5/6 months of marriage of deceased with Harpreet Singh (bail-applicant), she was dropped at her parents house by saying that she is pregnant and she is harassed by Charanjit Kaur (mother-in-law), therefore, to stay at her parents house. At that time, deceased stated to have brought only two suits alongwith her and thereafter she had contacted Harpreet Singh (bail-applicant) to take her back but she was not brought back by her husband. Deceased told Harpreet Singh (bail-applicant) that her treatment is running from Khamano, and in case they are not willing to take her back to the matrimonial house, atleast her medical file may be delivered to her, so, that she could get her treatment from Mandi Gobindgarh. Harpreet Singh (bail-applicant) stated to have neither taken her back to the matrimonial house nor had handed over her medical file, therefore, her treatment was then started from Gurpreet Nursing Home, Mandi Gobindgarh, where on

13.08.2021, a son was born to her, and all the members of her in-laws family had come to see the child there and at that time, Charanjit Kaur (mother-in-law) stated to have proclaimed before deceased that when she will come back to the matrimonial home with child, at that time she should bring luxury car. After 4/5 days, Jaspreet Singh (cousin) went to the in-laws house of deceased who was turned back by her in laws. The deceased has been requesting her husband to take her back to her in-laws house but he blacklisted her number and that time deceased proclaimed that in case she will not brought back to her matrimonial home then she will commit suicide. On 31.10.2022 at about 8.30 A.M., complainant alongwith her family members present at house whereas deceased was present in her room on first floor, she jumped from the roof of the house and she was taken to civil hospital, Mandi Gobindgarh, from where she was referred to Chandigarh, where she was brought dead.

7. It is worthwhile to discuss here that co-accused Charanjit Kaur, had moved an application for grant of anticipatory bail, which was dismissed by undersigned vide order dated 14.11.2022, and at that

time, a fact was brought to light that the father namely Jagdish Singh of deceased was booked in an FIR no.65 dt. 22.03.2021, u/s 376-D, 506 IPC, PS Mandi Gobindgarh, in which he was convicted and sentenced by the court of undersigned, wherein during custody, he had come on parole and there was an altercation between father and daughter, after which deceased while in her parents house had committed suicide. Against the order dated 14.11.2022, passed by undersigned while deciding anticipatory bail application of co-accused Charanjit Kaur, the matter is pending before Hon'ble High Court of Punjab & Haryana, in CRM-M-55482 of 2022 (O&M) titled Charanjit Kaur versus State of Punjab, wherein State has been directed to file status report before the date fixed in the case, vide order dated 22.12.2022, for 24.02.2023, meaning thereby, the matter is subjudice before Hon'ble High Court and not finally disposed of. As prayed by the Ld counsel for bail-applicant to grant anticipatory bail to the bail-applicant, would amount to superseding the order dated 22.12.2022. Further more, the investigations are still at the initial stage.

8. In view of whole scenario above discussed, I do not deem

it proper to grant anticipatory bail to the bail-applicant, when the matter is still at the initial stage of investigations, therefore, the bail application filed on behalf of bail-applicant stands **dismissed** being devoid of merits.

9. The observations made by undersigned vide this Order will have no reflection on merits.

10. Papers are ordered to be consigned to the record room.

Pronounced in open court.

Dt:- 23.12.2022

(Jaswinder Sheemar)
Additional Sessions Judge/FGS/0093,

Manjinder Singh
Judgment Writer (Gr-II)

(directly dictated on the computer)