

PBRO010007482024



Presented on : 09-02-2024
Registered on : 09-02-2024
Decided on : 20-02-2024
Duration : 0 years, 0 months, 11 days

**IN THE COURT OF MOHIT BANSAL
ADDITIONAL SESSIONS JUDGE, RUPNAGAR
(UID No.PB0208)**

**Balwinder Singh
Vs.
State of Punjab**

F.I.R No.18 dated 27.01.2024

Under Section: 406, 498A, 323 IPC

Police Station: City Rupnagar

Present: Sh. Mohit K. Dhupar Advocate, Ld. Counsel for applicant-
accused Balwinder Singh son of Paras Ram
Sh. Dhanesh Kumar, Ld. Addl. PP for the State along with
ASI Jasmer Singh No.566/R, P.S City Rupnagar.
Sh. Manish Dharmani Advocate, Ld. Counsel for complainant.

ORDER:

1. Vide present order, bail application under Section 438 Cr.P.C filed on behalf of the applicant/accused Balwinder Singh, is being disposed of.
2. Notice of the bail application under Section 438 Cr.P.C, was given to the State. Reply to the bail application has not been filed. Police record has been produced by ASI Jasmer Singh No.566/R, Police Station City Rupnagar.
3. It is averred in the instant bail application that the applicant is innocent and has committed no offence. The applicant is not involved in

any illegal act but the raids are being conducted by the police to arrest the applicant. The applicant is ready to join the investigation as per the directions of the Court. With these averments, a prayer for allowing the instant bail application, has been made.

4. The Learned Counsel for the applicant has submitted that the parents of the applicant Balwinder Singh have been released on anticipatory bail granted by this Court. The Learned Counsel has submitted that FIR is only under Section 498A, 323 IPC. The Learned Counsel has submitted that the applicant has always been ready to rehabilitate the complainant. The applicant is ready to get the articles recovered. He is ready to get recovered the motorcycle, which was given at the time of marriage. The other articles are lying locked in the room, in the house of the applicant and the key of the same is with the complainant Manmeet Kaur, which the applicant is ready to get recovered.

5. The Learned Counsel has submitted that as regards the wedding expenses, both the husband side as well as wife side incurred equal expenditure.

6. The Learned Counsel has submitted that the complainant had moved two applications and the earlier application was filed and FIR has been lodged on the basis of second application.

7. The Learned Counsel has submitted that the applicant is ready to join the investigation. No custodial interrogation of the applicant is required and therefore, the instant bail application, may be allowed.

8. On the other hand, the Learned Addl. PP assisted by Sh. Manish Dharmani Advocate, Learned Counsel for the complainant, has submitted that there are specific allegations against the applicant-accused and the complainant Manmeet Kaur has moved application for addition of Section 406 IPC. The Learned APP assisted by Sh. Manish Dharmani Advocate, has pointed out that date-wise allegations have been given. Rs.25 lac was spent in the marriage. Beatings were given by the applicant to the complainant on 26.08.2023 qua which there is specific allegations in the FIR. Upon this, the Learned APP has prayed that instant bail application may be dismissed.

9. I have heard the rival submissions and perused the record carefully.

10. The applicant-accused Balwinder Singh is the husband of the complainant Manmeet Kaur. As per FIR, specific allegations have been leveled against the applicant-accused. The argument of the Learned Counsel for the complainant that date-wise allegations have been given, carries merit and the FIR so discloses.

11. The argument of the Learned Counsel for the applicant that parents of the applicant have been released on anticipatory bail by this Court, has no bearing on the merits of the present bail application as the applicant-accused is husband of the complainant and both the bail applications are to be decided on their own merits.

12. Keeping in view the facts and circumstances of the offence involved, this Court is of the opinion that the applicant-accused Balwinder Singh is not entitled to the concession of anticipatory bail. Accordingly,

the instant bail application filed on behalf of the applicant-accused Balwinder Singh, is hereby dismissed.

13. Papers be cosigned to the Judicial Record Room, Rupnagar after due compliance.

Pronounced in open Court:-
Dated: 20.02.2024

(Mohit Bansal),
UID No.PB0208
Addl. Sessions Judges
Rupnagar

Anis STG-II