

IN THE COURT OF SH. KARAMJIT SINGH SULLAR
ADDITIONAL SESSIONS JUDGE, HOSHIARPUR
UID NO. PB0141

CIS No. BA/1980/2024
CNR No. PBH001006082-2024
Date of order: 05.08.2024

Sarbjit Singh aged 46 years son of Jarnail Singh resident of village Kharar
Rawal Bassi, Achharwal District Hoshiarpur, Punjab.

.....Applicant-Accused

Versus

State of Punjab

..... Respondent.

FIR No. 69 dated 12.4.2024
U/s 306, 506 of IPC
Police Station: Mahilpur Distt. Hoshiarpur.

(FIRST APPLICATION FOR REGULAR BAIL U/S 439 CR.PC)

Present: Sh. Binat Sharma Advocate, for applicant-accused.
Sh. Varinder Kumar Public Prosecutor for the State, assisted
by Shri Rupidaman Bhatia Advocate.

ORDER:

1. This order of mine shall dispose of application filed by the applicant/accused for grant of regular bail in the above noted case.
2. As per the case of the prosecution, the present case was registered on the basis of statement of complainant Mohan Lal S/o Ram Chand resident of village Kharar Rawal Bassi P.S Mahilpur, wherein he stated that his son Jaswinder Singh was married to Gurbax Kaur @ Jassi about 12 years ago and out of their wedlock, one daughter namely Samreet Kaur and

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one son namely Samarjit Singh were born. His daughter-in-law Gurbax Kaur is working in 'Guru Ki Rasoi' at village Kharar Rawal Bassi and according to his son Jaswinder Singh, Gurbax Kaur has illicit relations with one Sarabjit Singh @ Sabha. His son also told him that he has seen his wife and Sarabjit Singh in objectionable condition. On his persuasion, she alongwith her children had started living permanently at 'Guru Ki Rasoi'. The complainant further stated that he and his son had contacted the management committee of 'Guru Ki Rasoi' alongwith village Panchayat but the members of management committee had humiliated them and had threatened them with dire consequences. Thereafter, the workers of 'Guru Ki Rasoi' alongwith Gurbax Kaur and Sarabjit Singh had surrounded his son at Adda Kharar and threatened to kill him and also assaulted him. The complainant further stated that on 10.3.2024, he had moved an application to the police of P.S Mahilpur but no action was taken on the said application. Thereafter, on 2.4.2024, he had moved another application before SSP Hoshiarpur but of no use. Gurbax Kaur @ Jassi, Sarabjit Singh @ Sabha, Pamla, Kulwant Singh, Beena. Kulwaran Singh Halwai, Satpal Singh, Makhan Singh (uncle of Gurbax Kaur), Gurpal Singh @ Pala (brother-in-law of Gurbax Kaur) had mentally harassed and threatened his son Jaswinder Singh continuously, due to which, on 11.4.2024 at about 6:00 PM, his son Jaswinder Singh had committed suicide by hanging himself with the ceiling fan at his house. Before committing suicide, deceased Jaswinder Singh held the above said persons

responsible for his death. The applicant-accused was arrested in this case on 13.4.2024. Hence, this application for regular bail.

3. The learned counsel for applicant-accused argued that the applicant-accused has not committed any offence as alleged and he has been falsely implicated in the present case. The allegations in the FIR are false and baseless. He further argued that as per FIR, there is only allegation against the applicant that he has illicit relation with the wife of the deceased but in the whole Rasoi there are CCTV cameras and lot of work to perform, so that nobody can even imagine about the same. Moreover, co-accused Kulwant Singh has already been granted interim bail by the Hon'ble High Court vide order dated 20.5.2024. He further contended that the applicant-accused is in custody since 13.4.2024 and nothing is to be recovered from him. The presentation of challan and conclusion of trial shall take sufficient long time and no useful purpose would be served by keeping the applicant-accused behind the bars. So, it is prayed that applicant-accused may be released on bail.

4. On the other hand, the Ld. Public Prosecutor for the State, assisted by Shri Rupidaman Bhatia Advocate for complainant opposed the bail application on the ground that there are serious allegations against applicant-accused and in view of the gravity of offence the applicant-accused is not entitled to be released on bail.

5. I have heard the Ld. counsel for the applicant-accused as well as the Ld. Public Prosecutor for the State, assisted by Shri Rupidaman Bhatia Advocate for complainant and perused the record carefully.

6. As per allegations in the FIR, the applicant-accused alongwith his co-accused mentally harassed and threatened deceased Jaswinder Singh continuously, due to which, he had committed suicide by hanging himself with the ceiling fan at his house. In the present case also, a prima facie case is made out against the applicant-accused for instigating and harassing the deceased which lead to his untimely death. Therefore, keeping in view the seriousness of allegations, gravity of the offence and the manner, in which, offence has been committed, this Court is of the view that applicant-accused is not entitled to bail. As such the present application for regular bail, filed by the applicant-accused, stands dismissed.

7. The observations made by this Court while deciding this bail application are only for the limited purpose of adjudication of the present bail application and, as such, are not to be construed as an expression on the merits of the case (criminal trial). File be consigned to record room.

Announced in open Court:
Dated: 05.08.2024.
kulvinder JW

(Karamjit Singh Sullar),
Additional Sessions Judge
Hoshiarpur/(UID No.PB0141.