

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-31121 of 2019

Date of Decision: 25.09.2019

Sukhdev Singh & another

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. P.S. Brar, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. K.S. Brar, Advocate for the complainant.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioners in case FIR No.109 dated 04.07.2019 under Sections 323, 506, 355, 379, 34 IPC, Sections 3 and 4 of the SC & ST Act and Section 354 IPC (added later on) registered at Police Station City Kotkapura, District Faridkot.

Learned counsel for the petitioners has argued that in fact, the husband of the complainant namely Veer Singh @ Veeru, who was kept as a Helper by the father of petitioner no.1, had withdrawn money from the account of his father through ATM after the death of his father and therefore, FIR No.140 dated 31.08.2018 under Section 420 IPC was registered at P.S. City Kotkapura against him and charges in the said case

were also framed against the husband of the complainant. Thus, the complainant has levelled false allegations, including commission of offence under Sections 3 and 4 ST/SC Act, in order to give seriousness to the matter. The petitioners are in custody since 07.07.2019.

Learned State counsel, on instructions from ASI Surinder Singh, does not dispute the custody of the petitioners, however, he submits that the case is fixed before the trial Court on 28.09.2019.

On the other hand, learned counsel for the complainant has argued that the allegations against the petitioners are serious. The victims were not only given beatings and misbehaved, rather, for the act of the petitioners, offence under Section 354 IPC has also been added.

Having heard learned counsel for the parties and considering the fact that the husband of the complainant is already an accused in FIR No.140 dated 31.08.2018 under Section 420 IPC, registered at P.S. City Kotkapura, at the instance of the petitioners and petitioners are in custody since 07.07.2019 and trial in the case will take sufficiently long time, I deem it appropriate to release them on regular bail.

Accordingly, the present petition is allowed and the petitioners are admitted on regular bail, subject to furnishing of their bail bonds/surety bonds to the satisfaction of trial Court.

However, it is made clear that the petitioners shall not influence any witness in the case.

September 25, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No