

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-34136 of 2019
Date of Decision:11.09.2019

Surinder Singh @ Savinder Singh @ SonuPetitioner

Versus

State of Punjab ...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kuldip Sanwal, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C.
seeking pre arrest bail in case FIR No. 127 dated 01.07.2019, under
Sections 302, 201 and 120-B of the Indian Penal Code registered at
Police Station Ajnala, District Amritsar Rural.

Brief facts of the case are that the present case has been
registered on the statement of Satinder Kaur-mother of the
deceased(Gurmit Kaur). The complainant alleged that her daughter
Gurmit Kaur was married to Harjinder Singh s/o Lakhbir Singh about
15-16 years back. From this marriage, they had one daughter aged
about 8 years and a son aged about 6 years. After marriage, her in
laws shifted to U.P. and now for the last two months, they were
residing at village Jafarkot. Her son-in-law Harjinder Singh(co-

accused) from the very beginning was a greedy person, therefore, at the time of marriage sufficient dowry was given. On 23.06.2019, their daughter came to village Thatha and said that her husband Harjinder Singh as well as her brother-in-law Surinder Singh @ Savinder Singh(petitioner) had been forcing her to bring the share from inherited property, from her parents. However, she did not accept their demand, then, they threatened to kill her and dispose of her body in an manner that it could not be found. On 30.06.2019, at about 11/12 noon, someone from Jafarkot made a phone call that her daughter has been killed by her in laws and they are about to cremate her. Then the complainant alongwith her relatives reached village Jafarkot at about 4 p.m., where, pyre of her daughter was burning.

It is contended by learned counsel for the petitioner that he has been falsely implicated in the present case merely being the brother of the co-accused-Harjinder Singh. Further argued that occurrence had taken place at Ajnala, whereas the petitioner is the resident of Pilibhit, UP and at the time of occurrence, he was not present at Village Jafarkot. Also argued that petitioner is ready to join investigation and shall fully cooperate with the investigating agency in every manner, but apprehending his arrest and harassment, at the hands of the police, in the event of his joining investigation. Therefore, prayed for pre arrest bail.

On the other hand, learned State counsel on instructions from the police official, who is present in the Court opposed the bail on the ground that the deceased was having an amount of Rs. 10 lacs

in her account and both the accused i.e. petitioner as well as Harjinder Singh were pressurizing her to withdraw the amount and to pay the same to the accused including petitioner, but the deceased did not accept their demand and consequently she had been murdered by them.

Heard learned counsel for the parties and perused the paper book.

During investigation, it is found that on the date of occurrence, petitioner was very much present in Village Jafarkot where Gurmit Kaur died and not at Pilibhit. Police has also gathered the matériel that deceased was having a bank balance of Rs. 10 lacs and accused were pressurizing her to withdraw the amount and pay to them, but she did not agree and they committed the crime.

Since, the allegations in this case are very serious in nature and custodial interrogation of the petitioner is required, so he does not deserve the concession of pre arrest bail. Consequently the present petition is hereby dismissed.

The above observations, may not be construed as an expression of opinion on merits of the case.

[MAHABIR SINGH SINDHU]
JUDGE

September 11, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no