

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-62299 of 2018 (O&M)
Date of decision : March 18, 2019

Ranjit Singh

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. LS Sidhu, Advocate, for the petitioner
Mr. Avtar Singh Sandhu, Addl. AG Punjab for the State with
SI Satnam Singh, PS Amloh, District Fatehgarh Sahib

Fateh Deep Singh, J. (Oral)

The present regular bail application by accused-petitioner Ranjit Singh has been filed in case FIR No. 102 dated 31.8.2018, under Section 306 IPC, Police Station Amloh, District Fatehgarh Sahib.

The undisputed facts brought to the notice of this Court by two sides are that the complainant got married his two daughters Gurjit Kaur (since deceased) and Ramandeep Kaur also referred to as Ramanjeet Kaur in the year 2010 to two brothers accused Sarabjit Singh and the present accused-petitioner Ranjit Singh. It is alleged that both the daughters of the complainant did not conceive but subsequently it is stated that Ramanjeet Kaur gave birth to two twins, a boy and a girl but Gurjit Kaur could not manage to give birth to any child. It is alleged that Sarabjit Singh co-

accused non-applicant husband of Gurjit Kaur including the present petitioner Ranjit Singh, father-in-law Kulwinder Singh and mother-in-law Parminder Kaur started harassing and torturing Gurjit Kaur leading to a Panchayati compromise one and a half years prior to the registration of the present case. It is alleged that the accused have been forcing the complainant to transfer his land in the names of these two accused who are brothers as the complainant did not have a son. As is claimed on 30.8.2018 Gurjit Kaur was beaten by her husband Sarabjit Singh, present petitioner Ranjit Singh, father-in-law Kulwinder Singh, mother-in-law Parminder Kaur on account of which the deceased was forced to commit suicide by putting herself on fire leading to the registration of the present case and arrest of the petitioner.

Mr. LS Sidhu, counsel for the petitioner submits that petitioner is behind the bars since a long time and there is no specific allegations against the petitioner in this ugly episode and co-accused non-applicant Kulwinder Singh father-in-law and Parminder Kaur mother-in-law have been allowed bail by this Court vide separate orders dated 5.2.2019 and that the trial is not likely to be concluded in near future.

On behalf of State, Mr. Avtar Singh Sandhu, Addl. AG Punjab assisted by SI Satnam Singh have opposed the grant of bail on the grounds that if allowed bail, the petitioner might stifle the trial and that the case of the petitioner is distinguishable from that of the co-accused who have been granted bail by this Court.

Appreciating the submissions, the petitioner is in custody since 1.9.2018. A perusal of the allegations bear out that there is no specific role attributed to the petitioner. The mere fact that the petitioner happens to be the real brother of principal accused Sarabjit Singh whose wife Gurjit Kaur had committed suicide is no reason to disbelieve the contentions of the counsel for the petitioner that there is no specific role attributed to the petitioner in the commission of the offence. Besides the fact that it is after more than eight years of the marriage death has occurred and in between, counsel for the State, could not convince this Court any demand of dowry, harassment or cruelty to the deceased. As is contended the trial is not likely to be concluded in near future, no purpose will be served by retaining the petitioner in jail. Culpability, if any, shall be determined at the time of trial. Accordingly, he is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Fatehgarh Sahib.

The present petition stands disposed off accordingly.

The observations made herein above shall have no bearing on the merits of the case as these are purely for the disposal of the present bail application.

March 18, 2019
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No