

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

CRM-M-17327-2020 (O&M)

Date of decision : 21.07.2020

Rupinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepak Gupta, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Sanjeev Kumar Arora, Advocate for the first informant.

ANIL KSHETARPAL, J. (ORAL)

The petitioner prays for grant of regular bail pending trial in a criminal case arising from FIR No.8 dated 22.01.2020 registered under Sections 498-A, 313 and 511 of the Indian Penal Code, 1860, at Police Station Sadar, Faridkot.

The facts of the case of the prosecution have been noticed by the learned Additional Sessions Judge, Faridkot in para 3 of the impugned order, which is extracted as under:-

“3. Police record requisitioned and received. Perusal of the same shows that law was set into motion on the statement of Rajvir Kaur (complainant) wife of Rupinder Singh, resident of Beer Bholuwala, who stated that she is resident of address afore-said and was married with

Rupinder Singh son of Gurmeet Singh about 6 years ago. Except for Istridhan, her father had given Rs.9,00,000/- on marriage for the purchase of vehicle and after marriage, he had given Rs.2,00,000/-. After marriage, her in-laws family taunting her for bring less dowry. Time and again panchayats were convened and her husband used to turned her out of her matrimonial house and demanded Rs.5,00,000/- for the purchase of vehicle. Out of their wedlock, a son Manroop Singh was born. Now, when she was again on the family-way, doctor told them that there are twins, who are of more than three months. On coming to know about the same, her husband used to quarrel with her. Many times due to fear of beatings, she went to her parental home. On the intervening night of 3-4.01.2020, she along-with her husband was sleeping in their room. At about 11:00 PM, all of sudden, she feels severe pain in her private parts and woke up. She noticed that her husband was touching her private parts and asked her that as he does not want child, so he is putting some medicine in her internal part. He also threatened her not to disclose anybody regarding the same. In the morning, she feels unwell and became unconscious and there was bleeding, upon which her husband asked her to get medicine from outside. Her husband and mother-in-law Harjinder Kaur took her to Dr. Nishi Garg, where she secretly made a phone call to her family. Doctor checked her and at that time, her parents and Sukhcharan Singh, Ex.Sarpanch, also came there and her husband and mother-in-law left the place after leaving her there. Dr.Nishi Garg prescribed her medicine and she came her with parents. Thereafter, she started taking medicine from Dr.Nishi Garg. On 17.01.2020, she was not well, due to which her mother Sukhdev Kaur, brother Babal Singh, father Balwant Singh, took her to Civil Hospital, Faridkot, where doctor checked

up her and prescribed medicine, but on that she did not record any statement before the police. Lastly, a prayer for taking legal action against the accused was made.”

Learned counsel for the petitioner contends that the petitioner is in custody for more than six months. After completion of the investigation, final report under Section 173 of Cr.P.C. has been filed by the police. He further submits that the prosecution intends to examine as many as 22 witnesses. However, on account of the restricted functioning of the Courts due to the spread of Novel Coronavirus, none has been examined.

On the other hand, learned counsel for the State has opposed the prayer for grant of regular bail to the petitioner.

This Court has considered the submissions and consider it appropriate to direct the release of the petitioner keeping in view the fact that the petitioner is in custody for more than 6 months and the conclusion of the trial is likely to take time.

Without commenting on the merits of the case and keeping in view the aforesaid facts, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

21.07.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No