

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

CRM-M-18660-2020 (O&M)

Date of decision: August 19, 2020

Ramandeep Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. M.S. Sachdev, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Vikas Bahl, Senior Advocate with
Ms. Aakritee Raja, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J.

CRM-16158 & 19328-2020

Allowed, as prayed for.

CRM-M-18660-2020

Prayer in this petition is for grant of anticipatory in FIR
No.120 dated 15.5.2020 under Sections 307/120-B IPC registered at Police
Station Phillaur, District Jalandhar.

Counsel for the petitioner submits that as per the allegations in
the FIR, complainant Gurpreet Singh was married with petitioner
Ramandeep Kaur about 08 months ago and on the intervening night of

13/14.5.2020, the petitioner wife poured some liquid on him having the smell of spirit. Feeling danger to his life, the complainant tried to run away. The petitioner pushed him back and put him on fire with matchbox. The victim came down from stairs to save his life and his father Tarlochan Singh and grand-mother Gian Kaur rescued him and he was taken to the CMC Hospital, Ludhiana.

Counsel for the petitioner further submits that, in fact, a false story is made out as, in fact, the complainant was demanding cash from the petitioner and some amount was given by the mother of the petitioner and she has made a complaint under Sections 406/498-A IPC, which is pending enquiry with Police Station Women Cell, Khanna. Counsel for the petitioner has further submitted that even on the date of occurrence, the petitioner was harassed by her mother-in-law, husband and her brother-in-law and she was crying and talking to her mother on telephone. This conversation was recorded in which she was trying to explain that her in-law's family and the complainant were trying to aggravate the dispute. It is further stated in the conversion, that the petitioner has alleged that complainant had given beatings to her and her mother advised to lock herself in the room so that no harm is caused to her and a call was made on police help line number i.e. 108 to register a complaint against her in-laws.

Counsel for the petitioner further submits that she even received a phone call from Police Station City, Phillaur in which she explained the episode to the police that the complainant and his family are

at fault. He further submits that, in fact, after giving the beatings by the complainant, he tried to commit the suicide by naming the petitioner in the incident.

In reply, the learned State counsel, assisted by the learned senior counsel for the complainant has opposed the prayer on the ground that there are direct allegations in the FIR against the petitioner that she poured something on the body of the victim Gurpreet Singh and sensing it to be smell of spirit, he immediately got up from the bed to rush out but the petitioner pushed him back and threw on the bed. She was carrying a matchbox and set the victim on fire. When the victim raised an alarm and came down stairs after opening the door, her father and grand-mother, on hearing the noise and seeing fire on his body, managed to blow out the fire and by calling the neighbours, they took him to the Civil Hospital, Phillaur where he was further referred to the CMC Hospital, Ludhiana.

The learned State counsel has submitted that the motive behind the occurrence was that the victim used to restrain his wife from doing bad things.

The learned Senior counsel for the complainant has shared some photographs of the petitioner in which she was shown to be taking liquor. It is further submitted that there is even a video recording to this effect. It is further argued that the victim suffered burn injuries on back, bilateral arms, forearm and bilateral hands and the police has recorded his statement at CMC Hospital, Ludhiana.

Learned senior counsel for the complainant has further submitted that though it is wrongly observed in the FIR that there were some talks prior to the recording of the statement of the victim on 14.5.2020, yet the victim has clearly stated that his wife has put him on fire. Learned senior counsel has further submitted that the allegations of demand of dowry under Sections 406 and 498-A IPC were made later on and the complainant, who is a simple person was harassed by the petitioner as she was addicted/habitual of consuming liquor. Learned senior counsel has further submitted that the victim has suffered 40% burn injuries.

Learned senior counsel for the complainant has even further argued that during investigation the police has recorded the statement of father Tarlochan Singh, who was present at the spot and has supported his version. Learned senior counsel has also relied upon certain photographs to show the nature of burn injuries sustained by him along with discharge summary showing that he suffered superficial to deep burns over the neck, anterior part of chest, anterior abdominal wall, left ear, in the back, B/L arms, forearm and B/L hands.

Learned senior counsel has further submitted that the complainant-victim has suffered huge expenses of about Rs.03 lacs on his treatment on account of burn injuries caused by the petitioner and is still under treatment.

In reply, the counsel for the petitioner has submitted that, in fact, it was an attempt of committing suicide and name of the petitioner has been falsely implicated by her in-laws to save their own skin.

I have heard learned counsel for the parties.

The allegations against the petitioner are of causing burn injuries to her husband-victim by pouring some inflammable liquid and then putting him on fire and the incident shows the pre-meditated mind of the petitioner. The version given by the victim is fully supported by the statement of his father Tarlochan Singh which was recorded under Section 164 Cr.P.C. The audio CD relied upon by the petitioner cannot be held a conclusive proof, at this stage, and is a matter of evidence during trial. There is dispute regarding the time of recording of the CD and the same can be verified only by custodial interrogation of the petitioner.

Therefore, in view of the serious allegations and the manner in which the attempt is made on the life of the victim, I find no ground to grant the anticipatory bail to the petitioner.

The present petition is, therefore, dismissed.

However, nothing observed herein will have a bearing on the merits of the case as it is only for the purpose of deciding the bail application.

August 19, 2020
satish

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No