

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

**CRM-M-21342 of 2020(O&M)
Date of Decision: 13.08.2020**

Balkar Singh

Petitioner.

Versus

State of Punjab

Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. H.S.Sammi, Advocate
for the petitioner.

Mr. S.S.Deol, DAG., Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner, seeks the concession of bail pending trial in FIR No.60, dated 16.05.2019, under Sections 302, 323, 341, 506, 34 IPC, registered at Police Station Shambhu, District Patiala.

The abovesaid FIR was registered on the statement of Manpreet Singh, brother of the deceased-Gurjeet Kaur. It is stated in the FIR that Gurjeet Kaur was married to the present petitioner, seventeen(17) years prior to the incident, which took place on 16.05.2019. The couple had three children i.e., a son namely Gagandeep Singh, a daughter, Pooja Rani and another son, Gurtej. It is stated therein that in-laws family of the deceased used to harass her and fight

with her as well. Efforts were made to smooth their relations but to no avail. The deceased-Gurjeet Kaur, is stated to have telephonically called her father on 16.05.2019, alleging that the present petitioner along with her mother-in-law namely Gejo, sister-in-law namely Varsha Kaur and their son namely Gagandeep Singh, were fighting with her and she asked her father to immediately come to her matrimonial home. The complainant (brother of the deceased), along with their father-Darshan Singh, reached the matrimonial house of Gurjeet Kaur and found all the abovesaid persons fighting with Gurjeet Kaur. They intervened and tried to stop the accused but the petitioner is alleged to have inflicted a Danda blow on the head of Gurjeet Kaur. The other accused also hit Gurjeet Kaur. Alarm was raised by the complainant and his father on which people gathered and they were statedly able to rescue Gurjeet Kaur from the clutches of the accused. Gurjeet Kaur fell unconscious at the spot and was taken to A.P. Jain Hospital, Rajpura, from where she was referred to GMCH, Sector 32, Chandigarh. Initially, FIR under Sections 323, 341, 506, 34 IPC, was registered. Gurjeet Kaur subsequently passed away and the offence under Section 302 IPC, was added.

Learned counsel for the petitioner has vehemently argued that the marriage was 17 years old and there is no intention on the part of the petitioner to cause the death of Gurjeet Kaur. In this view of the matter, the petitioner, it is submitted is entitled to bail.

Be that as it may, I find that there are specific and grave allegations against the petitioner, who is none other but the husband of the deceased. Keeping in view the facts and circumstances of the case as narrated above, I do

not find any ground whatsoever to afford the concession of bail pending trial to the present petitioner, at this stage.

Petition is accordingly dismissed.

13.08.2020

s.khan

[LISA GILL]

Judge

Whether speaking/reasoned

:

Yes/No.

Whether reportable

:

Yes/No.