

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

**CRM-M-37571-2020(O&M)
Date of decision : 18.11.2020**

Surjeet Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Prabhjot Singh, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short, 'CrPC') for grant of regular bail to the petitioner in FIR No.0011 dated 22.02.2020 under Sections 307, 326-A, 498-A of the Indian Penal Code, 1860 (Section 201 IPC added later on) registered at Police Station Sadar Jalalabad (W), District Fazilka.

Learned counsel for the petitioner has contended that the petitioner has falsely been implicated in the present case and that the challan has been presented and nothing is to be recovered from him. He has further contended that had the petitioner been involved in burning of the complainant, he would not have taken her to the hospital.

Learned counsel for the State, on instructions from ASI Judge Singh, has stated that keeping in mind the gravity of the offence, the

petitioner does not deserve the concession of the bail.

I have heard learned counsel for the parties.

The present FIR has been registered on the statement of the complainant wherein she has alleged that she married the petitioner herein against the wishes of her parents on 08.07.2017 and after her marriage she started living with the petitioner and his family members in Village Sohna Sandar (Badda Sidhu Wala) and performed all her duties as wife. It is further the allegation in the FIR that after 1½ months of marriage, the petitioner herein started harassing the complainant for more dowry. Since she had married against the wishes of her parents, she could not go to her parents' home to fulfill the demands of dowry. On her refusal to go to her parents' home, the petitioner herein started giving her beatings and harassing her regularly. In the month of May 2018, she is alleged to have come to her parents' home and begged for an apology. Her parents pardoned her and, with an intention to rehabilitate her, persuaded the petitioner to keep the complainant in his house. However, the petitioner and his family members were not ready to keep her in the house without the dowry articles. It is further the allegation that the complainant had moved a complaint against the said accused-persons and thereafter, on 31.08.2018, a Panchayat was convened at Jalalabad and, in the presence of the respectables, the petitioner had confessed his guilt and he assured that he would not harass the complainant and in this regard an affidavit dated 31.09.2018 was executed. Thereafter, she withdrew the said complaint and the petitioner took her to his house after a period of two months. After some time, the petitioner again started harassing her and giving her beatings. On 11.04.2019, all the named accused, in connivance with each other, asked her to bring dowry as well as

a motorcycle and when she refused to do the same, the accused are alleged to have given her beating. When she resisted, it is alleged that Hasso Bai (mother-in-law) and Paramjit Kaur caught hold of her from her arms while Kulwinder Singh caught hold of her legs and Puran Singh (father-in-law) put kerosene oil on her and the petitioner herein with an intention to kill her ignited a match stick and set the complainant on fire. Thereafter, she was taken to the Civil Hospital for treatment from where she was taken to Delhi Hospital Muktsar Sahib by her father for further treatment.

The undisputed facts in the present case are that the complainant had suffered burn injuries and she was under treatment for the same. Even as per the medical record, which has been attached with the petition, the complainant was under treatment for burn injuries. Though the story put-forth by the defence is that she had caught fire with LPG Cylinder, however, the allegation of the complainant is that she had been set on fire by the accused. Be that as it may, the complainant had suffered burn injuries and it has been noticed in the order dated 09.09.2020 passed by the Additional Session Judge, Fazilka that the challan consists of photographs of the complainant showing severe burn injuries.

In view of the above, I do not find this to be a fit case for grant of regular bail. The petition is accordingly dismissed.

It is however, made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

18.11.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO