

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54044-2019

Date of Decision: 20.01.2020

Sukhwinder Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajiv Sharma, Advocate for
Mr. K.D.S. Sodhi, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, Asstt. A.G, Punjab.

Mr. K.V.S. Ahluwalia, Advocate
for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.239 dated 25.10.2019, under Sections 323, 506, 120-B and 34 IPC, 1860 (Section 307 IPC was added later on), registered at Police Station Shahkot, District Jalandhar.

The FIR in the present case was registered on the statement of Ruby, wherein it is alleged that her marriage took place with Sukhbir Singh about 2 years back. Her husband was residing abroad and she was residing at her house at Village Sadiqpur. Her brother-in-law Sukhwinder Singh @ Kala and his wife Kulwinder Kaur @ Sunita were also residing in the said house. On 23.10.2019 at about 10:30 pm, she was present on the second floor of her house, where Sukhwinder Singh @ Kala, Kulwinder Kaur @ Sunita and her brother Nikka came there. Kulwinder Kaur @ Sunita and Nikka caught hold her from arms and snatched her phone. Sukhwinder

Singh @ Kala put kerosene oil on her and put her on fire. Nikka went away to open the gas cylinder. Ruby pushed Kulwinder Kaur @ Sunita and entered in the bathroom and extinguished the fire. She came in the gallery of another room and raised noise. A number of persons gathered there and brought her out of the house. Surinder Kaur @ Bite and Kulwant Singh reached there and got her admitted in the Civil Hospital Shahkot. This occurrence took place at the instigation of her husband Sukhbir Singh, who is having relations with Kulwinder Kaur @ Sunita.

Learned counsel for the petitioner contends that the victim was taken to the hospital and no burn injury was found on the person of the victim at the time of issuance of first MLR. However, as per subsequent MLR, burn injuries have been mentioned and Section 307 IPC was added.

On the other hand, learned State counsel has opposed the prayer on the ground that the victim Ruby was taken to the hospital on 23.10.2019, where she remained admitted for many days. He states that merely because in the first MLR, burn injuries were not mentioned, it does not mean that injuries were not suffered by the victim, particularly when the victim named the petitioner behind this occurrence.

Considering the nature of the offence, but without meaning any expression of opinion on merits of the case, this Court does not find it a fit case for grant of pre-arrest bail to the petitioner.

The petition is dismissed.

20.01.2020

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No