

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.164 of 2020
Date of Decision: September 01, 2021

Dharampal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ravi Rana, Advocate for
Mr.Ashok Giri, Advocate,
for the petitioner.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.56 dated 29.05.2019, under Sections 323, 506 and 195-A IPC, 1860, registered at Police Station Anandpur Sahib, District Rupnagar.

The above FIR was registered on the basis of statement given by complainant Sarabjit Kaur, wherein it was stated that the marriage of Sarabjit Kaur and her sister Anita Rani was solemnized with Bhajan Gir and Rakesh Gir respectively in the year 2004. Her sister Anita was blessed with five daughters and the complainant has son and a daughter, and her in-laws used to harass her sister Anita for giving birth to daughters. Her brother-in-law (Jija) used to give threat to kill Anita and one day, they killed Anita and in this regard, FIR No.38 dated 17.04.2019 was lodged at Police Station

Anandpur Sahib, under Sections 302 and 309 IPC. Her brother-in-law is in jail. After the death of Anita and lodging of Rakesh Kumar in jail, complainant's husband along with in-laws family started harassing and beating her as well as daughters of her sister. They are preparing to sell the abovesaid minor daughters of Anita to somebody and are pressurising her that, if, her paternal family does not withdraw the said case, then they would kill her also. Complainant's husband tried to push her in the river, but she was saved by the passerby. On these broad allegations, the above FIR was registered.

On 13.01.2020, the following order was passed:-

“Heard both sides.

The principal offence imputed to the petitioner to be under Section 195-A of the IPC for which, the maximum punishment prescribed is 7 years.

Considering the long detention undergone by the petitioner, he is ordered to be released on interim bail subject to the appropriate terms and conditions to the satisfaction of Ld.Chief Judicial Magistrate/Duty Magistrate, concerned.

Adjourned to 31.03.2020.”

Learned counsel appearing on behalf of the petitioner submits that in compliance with the order dated 13.01.2020, the petitioner appeared before the trial court and has been released on interim bail.

This fact is not disputed by the learned State counsel, assisted by ASI Pritam Singh. He has further submitted that the petitioner is not involved in any other case of similar nature and in this regard has filed his custody certificate by way of affidavit of Kulwinder Singh, Deputy Superintendent, District Jail, Rupnagar. He has apprised the court that the challan in this case was filed on 28.01.2021, but the charges are yet to be

framed and the next date before the trial court is 09.10.2021.

Resultantly, the order dated 13.01.2020 granting interim bail to the petitioner is made absolute and the petitioner is allowed to remain on bail on the same bail bond/surety bonds furnished by him before the trial court pursuant to the order dated 13.01.2020.

September 01, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No