

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

**CRM-M No.42109 of 2021
Date of Decision:-16.11.2021**

Tarlok Singh

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Mr. Sukhbeer Singh, A.A.G, Punjab
for respondent No.1-State.

None for respondent No.2-complainant.

MEENAKSHI I. MEHTA, J.

Apprehending his arrest in the criminal case pertaining to the FIR bearing No.165 dated 31.07.2021 registered at Police Station Civil Lines, Batala, Police District Batala, District Gurdaspur, under Sections 302, 506, 34 IPC, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Shorn and short of unnecessary details, the allegations, as levelled by the complainant in the subject FIR, are that her daughter Mandeep Kaur had married Sandeep, the younger son of the petitioner and the petitioner, said Sandeep and the elder son of the petitioner named Sonu,

used to torture her (Mandeep Kaur) and they killed her by administering some substance to her.

Status-report, by way of the affidavit of the Deputy Superintendent of Police, Sub-Division, City Batala, has been submitted in the Court and the same is taken on the record.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that initially, the complainant did not raise any suspicion against the petitioner and his above-said co-accused but later-on, she got the FIR lodged against them by changing her version and even otherwise, said accused Sandeep was living separately from the petitioner since long and thus, the petitioner had no role to play in the alleged crime and he has been falsely implicated in this case and in these circumstances, he deserves the relief as prayed for in this petition.

Per contra, learned State counsel argues that the deceased was maltreated and tortured by the petitioner and his co-accused and she had telephonically informed the complainant, i.e her mother, in this regard and ultimately, she was killed by them and keeping in view of the gravity of the offence as committed in this case, the instant petition be dismissed.

The petitioner happens to be the father-in-law of the deceased. The veracity of the version of the complainant, as put-forth in the FIR, can and shall be looked into and adjudicated upon by the trial Court at the

appropriate stage after appreciating and evaluating the evidence that may be led on the record during the course of the trial and the same cannot be ascertained at this stage while deciding the present petition.

Further, though the petitioner is claimed to have been staying separately from his co-accused Sandeep and the deceased but again, the fact remains that it has categorically been alleged in the FIR that the deceased had telephonically informed the complainant about her having been tortured by the petitioner and his co-accused. Moreover, this aspect will also be a subject matter for consideration and determination before/by the trial Court in the light of the evidence as would be recorded during the trial proceedings.

Keeping in view the above-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner) does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand stands dismissed.

However, it is clarified that nothing contained here-in-before shall be construed to be an expression of the opinion of this Court on the merits of the case.

November 16, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*