

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

CRM-M-41615-2020
Date of Decision : 15.01.2021

Harbans Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Munish Raj Choudhary, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.68 dated 12.05.2020 under Sections 341, 342, 323, 420, 34 of the IPC (Section 328 IPC added later on) at Police Station Mehal Kalan, District Barnala.

Learned counsel for the petitioner submits that as per allegations in the FIR registered at the instance of Jaswinder Singh, his sister Kirandeep Kaur was married with petitioner Harbans Singh about 6 years ago and one daughter is born from this wedlock. Thereafter, the petitioner has gone to Germany with a promise to take his wife later, however, she was not taken there and all the accused persons started maltreating her. In that process, on 07.05.2020, the petitioner and his family members, caused her injuries on account of not bringing sufficient dowry and administered some poisonous substance in her mouth forcibly.

Learned counsel for the petitioner submits that the petitioner is in custody since 20.10.2020; the investigation is complete and *challan* stands presented.

Learned counsel for the petitioner further submits that without prejudice to his right of defence, the petitioner is ready to handover a Demand Draft of Rs. 3 lakh favouring victim Kirandeep Kaur towards her medical expenses and as a social security.

Learned counsel for the petitioner further submits that petitioner is not involved in any other case and it is a dispute between the husband and the wife.

Learned State counsel, on instructions from the Investigating Officer and on the basis of MLR, has opposed the prayer of the petitioner.

Learned counsel for the complainant also submits that the complainant has spent sufficient amount on her treatment and she remained admitted in hospital for a considerable period of time.

Without making any comment on the merits of the case, after hearing learned counsel for the parties and going through records and findings that the investigation is complete and petitioner is in custody since 20.10.2020 and has volunteered to hand over a Demand Draft of Rs. 3 lakhs in favour of the victim/wife, this petition is allowed. The petitioner is granted concession of regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

The petitioner, while furnishing bail/surety bonds before the trial Court, will deposit a demand draft of Rs. 3 lakh with the trial Court/Illaq Magistrate, which will further handed over to aforesaid victim.

Further, it is made clear that petitioner will surrender his passport before the trial Court/Illaq Magistrate, if it is not surrendered so far, and will not travel abroad without prior permission of the Court.

15.01.2021

Waseem/Chetan

(ARVIND SINGH SANGWAN)
JUDGE