

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-26665-2022 (O & M)****Date of decision: 16.06.2022**

Ajaib Singh

.... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Janak Singh Bhinder, Advocate, for the petitioner.

Mr. Amitoj Singh Dhaliwal, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 438 Cr.P.C. is for the grant of anticipatory bail to the petitioner in case FIR No.54 dated 07.03.2022 under Sections 420 and 494 IPC registered with Police Station City Sunam, District Sangrur.

The present FIR came to be registered at the instance of the complainant-Baljinder Singh, brother of Sharanjit Kaur, who stated that his sister got married with Amarjit Singh son of Ajaib Singh (the present petitioner) in the year 2001. Out of the wedlock, two children were born i.e. a son in the year 2003 and a daughter in the year 2005. The son was 90% disabled and Sharanjit Kaur (sister of the complainant) is also 80% disabled. Her in-laws had left Sharanjit Kaur alongwith the children at Sunam and the son of the petitioner, namely, Amarjit Singh (husband of Sharanjit Kaur) never came back to look after her and her children either. In fact, Amarjit Singh, in connivance with his father Ajaib Singh (the present petitioner) had

solemnized five marriages without getting a divorce from his sister-Sharanjit

Kaur, and therefore, cheated not only Sharanjit Kaur but also other women with whom he had solemnized subsequent marriages.

The learned counsel for the petitioner contends that a bare reading of the FIR does not reveal the commission of any offence at least on the part of the petitioner and only Amarjit Singh could be held liable being the husband of Sharanjit Kaur. He, thus, contends that the petitioner deserves the grant of concession of anticipatory bail.

The learned counsel for the State, on the other hand, contends that the petitioner is seen in photographs at different weddings of his son- Amarjit Singh. He is a signatory to a forged Panchayati divorce with one Satnam Kaur. He is also a signatory to a Gurudwara Register where the marriage of his son Amarjit Singh was fixed with one Jaswinder Kaur. He, thus, contends that the petitioner being the father of Amarjit Singh is an equal partner to the offence committed by his son Amarjit Singh. Even otherwise, it is contended that the mental cruelty meted out to Sharanjit Kaur and her children at the instance of Amarjit Singh and the petitioner-Ajaib Singh, her father-in-law of not providing any emotion or financial security itself is sufficient to deny him the concession of bail.

I have heard the learned counsel for both the parties.

As per the photographs on the police file, Sharanjit Kaur, the daughter-in-law of the petitioner, is physically disabled and the grand son of the petitioner is also disabled. The petitioner is a signatory to various documents which show that he was aware of the multiple marriages of his son. Apart from that fact, there are photographs of the petitioner at the different marriages of his son with different ladies

Thus, in view of the seriousness of the allegation as also to

interrogation of the petitioner is necessary. Therefore, the present petition for the grant of concession of anticipatory bail to to the petitioner is hereby dismissed.

(JASJIT SINGH BEDI)
JUDGE

June 16, 2022
sukhpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No