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

CRM-M-14482-2023

Date of Decision:- 01.06.2023

Jagroop Singh and Anr.

...Petitioners

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present:- Mr. Daman Jeet Bhoriwal, Advocate
for the petitioners.

Mr. Mohinder Singh Joshi, Additional A.G. Punjab.

Mr. Raj Partap Singh Brar, Advocate
for the complainant.

AMARJOT BHATTI, J. (Oral)

1. The petitioners – Jagroop Singh and Dilpreet Singh have filed petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 154 dated 14.07.2022, under Section 323, 342, 354, 354-A, 379-B, 506, 148, 149 and 201 of I.P.C. registered at Police Station Bhawanigarh, District Sangrur.

2. The facts of the case are that Jaswinder Kaur – complainant gave her statement to the police that she got married with Gurvinder Singh son of Jagsir Singh about 19 years ago. Due to the interference of her sister-in-law Harpreet Kaur, a matrimonial dispute started and she had left the company of her husband. No child was born out of this wedlock. She had spent about 10 years in her parental house. After the death of her father-in-law, the property was transferred in the name of her husband Gurvinder Singh and his brother Harvinder Singh. Later on, her husband Gurvinder Singh and brother-in-law Harvinder Singh transferred their property in the name of her mother-in-law

Surjit Kaur. The brother-in-law got the property transferred in his name fraudulently from her mother-in-law. The civil litigation is pending in this regard. Thereafter, she effected compromise with her husband Gurvinder Singh and started residing in the matrimonial home for the last one year. On 13.07.2022 at about 03:30 P.M. her brother-in-law Harvinder Singh called her husband Gurvinder Singh in the fields for discussion. Her husband went to the fields where her brother-in-law Harvinder Singh, Jagroop Singh, Sehajpreet Singh (son of her brother-in-law), Dilpreet Singh and one unknown person were present. They started abusing her husband. Harvinder Singh, Sehajpreet Singh, Jagroop Singh started beating her husband with spades. She was informed by her husband on phone. She also reached there and tried to intervene. Her husband was tied with a tree. Jagroop Singh, Harvinder Singh and Dilpreet Singh also gave blows on her person with their respective spades. Sehajpreet Singh snatched her mobile phone and she was dragged towards the tubewell motor. Sehajpreet Singh outraged her modesty. One of the person was also preparing a video. On hearing the alarm, nearby people came there. They were rescued by them. They were taken to CHC Bhawanigarh. With these allegations, present FIR has been registered.

3. Learned counsel for the petitioners argued that they are falsely implicated in this case due to civil litigation already going on between the parties. All the allegations levelled against them are false. Various civil and criminal litigations are going on. The present petitioners were arrested in this case on 17.07.2022 and since then, they are behind the bars. It is pointed out that earlier bail application filed in this Court was dismissed as withdrawn vide order dated 03.02.2023, which is Annexure P-1. Thereafter, they had approached the learned Additional Sessions Judge, Sangrur seeking regular bail, which was also declined vide order dated 21.02.2023, which is

Annexure P-13. Thereafter, they have filed the present regular bail application. It is pointed out that material witnesses have been examined. Trial of this case may take some time. Therefore, their regular bail application may be allowed.

4. The bail application is opposed by learned counsel representing the State as well as learned counsel for the complainant. It is argued that there are specific and serious allegations against the present petitioners. Detailed status report is filed in which there is detail of injuries suffered by the complainant Jaswinder Kaur as well as by her husband Gurbinder Singh. Considering the gravity of offence, the petitioners are not entitled to be released on regular bail.

5. I have considered the arguments and have gone through the record carefully. In this case, FIR has been registered on the statement of Jaswinder Kaur. As per the facts detailed above, it is matter of record that after completion of investigation, challan has been presented and both the petitioners are facing trial. The MLR of Jaswinder Kaur is Annexure P-7 and P-8, whereas, the MLR of Gurbinder Singh is Annexure P-9. Earlier the regular bail application filed by the petitioners was dismissed as withdrawn vide order dated 03.02.2023, which is Annexure P-1. Both the parties approached the trial Court seeking regular bail but it was declined vide order dated 21.02.2023, Annexure P-13 and thereafter, the petitioners have filed second regular bail application in this case. It is matter of record that the statements of material witnesses Jaswinder Kaur PW1 and Gurbinder Singh PW2 have been recorded which are Annexure P-11 and P-12. Both the material witnesses have been recorded, therefore, at this stage, it cannot be said that the petitioners can influence the witnesses. They are behind the bars since 17.07.2022. Trial of this case may take some time. They cannot be kept

behind the bars for indefinite time period. Therefore, without expressing my mind on the merits of the case, the regular bail application filed on behalf of petitioners- Jagroop Singh and Dilpreet Singh is allowed. They are ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

The petition is accordingly, accepted.

01.06.2023
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(AMARJOT BHATTI)
JUDGE

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