

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-33114-2023 (O&M)

Date of order: 24.07.2023

Gurpinder Singh

.....Petitioner(s)

Vs.

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTAPresent:- Mr. Simranjot S. Nagra, Advocate
for the petitioner.

Mr. Jashanpreet Singh, DAG Punjab.

Nidhi Gupta, J.

Present is the first petition filed by the petitioner under Section 438 of Code of Criminal Procedure (hereinafter referred to as "Cr.P.C.") seeking grant of anticipatory bail in case FIR No.122 dated 29.09.2022 registered under Sections 498-A, 324, 323 and 34 of Indian Penal Code, 1860 (hereinafter referred to as "IPC") (Sections 201 and 325 IPC added later on) at Police Station Sadar Gurdaspur, District Gurdaspur (Annexure P1).

2. It is inter alia submitted by learned counsel for the petitioner that the petitioner is the husband of the complainant. As per version of the complainant in the FIR, her marriage was solemnized with the petitioner namely Gurpinder Singh about two years and three months ago in which her parents had given sufficient dowry articles as per their status. After some time of marriage, the petitioner on instigation of Harbhajanjit Singh i.e. her brother-in-law and her sister-in-law used to

harass and raised the demand of car or cash. They used to give beatings and sent her to her parental home, but the matter was reconciled with the intervention of the respectables. Thereafter, behavior of her in-laws family remained good for some time but with the passage of time they again started harassing her and raised the demand of car or cash. On 21.09.2022, she was present in her in-laws house, therein her brother-in-law and sister-in-law firstly tied her both arms with rope and then they tied her neck with rope as well and tried to pull it. Her husband i.e. the present petitioner gave baseball blow, which hit her buttock. Her sister-in-law gave her knife blow, which hit right side of her forehead. She raised alarm "mardita mardita" and people gathered there, then all three of them fled away from the spot. On the basis of said statement, present case was registered.

3. It is further submitted that as per MLR No.80/RS/Ch/GSP dated 21.09.2022 of the complainant, there were total five injuries. Injury No.1, 2, 3 and 5 were simple in nature and injury No.4 was kept under observation. Injury No.1, 2, 3 and 5 were blunt and injury No.3 was sharp. It is further submitted that concession of anticipatory bail has already been granted to co-accused Gurjit Kaur/sister-in-law of the petitioner vide order dated 23.01.2023. It is further submitted that the allegations contained in the FIR are false and frivolous and soon after the marriage, the complainant had threatened the petitioner that she would drag him in false cases.

4. Vide order dated 13.07.2023, this Court had directed the petitioner to join investigation and cooperate with the Investigating Agency.

5. Learned State Counsel submits that in compliance of aforesaid order, the petitioner has duly joined the investigation and nothing is to be recovered from him.
6. Accordingly, present petition is **allowed** and petitioner is directed to be released on anticipatory bail on his furnishing bail and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. However, the petitioner shall abide by following conditions:-
- i) He shall join the investigation as and when required by the Investigating Officer.
 - ii) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
 - iii) He shall not leave the limits of this country without prior permission of the Court.
7. In case at any given point of time hereinafter, it is felt by the Investigating Agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.
8. However, it is made clear that nothing stated above shall be construed as an expression of opinion on the merits of the case.

Petition stands disposed of.

24.07.2023

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Whether speaking/reasoned
Whether reportable

(Nidhi Gupta)
Judge

Yes/No
Yes/No