

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

CRM-M-57416-2023

Date of decision:28.11.2023

Jaspreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: Hon'ble Ms. Justice Harpreet Kaur Jeewan

Present: Mr. D.S.Bhinder , Advocate
for the petitioner.

Harpreet Kaur Jeewan, J.(Oral)

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner during the pendency of the trial in case bearing FIR No.110 dated 01.08.2023 (Annexure P-1) registered under Sections 498A, 377, 506 and 120B of the Indian Penal Code at Police Station Kabarwala, District Sri Muktsar Sahib.

2. It is alleged in the FIR that the petitioner influenced the complainant by proclaiming that he is having about 12 acres agricultural land, his father is retired from Army and getting pension and he is having a good job as Constable in Punjab Police but joining letter is not yet issued. After the solemnization of marriage on 10.03.2023, they stayed together at Amritsar. After the marriage the petitioner and his relatives started pressurizing the complainant to talk to her parents for giving the dowry. It is further alleged in the FIR that the petitioner and his family used to harass her, the petitioner used to give beatings to the complainant and even used to have marital relationship with her under the influence of drugs and used to commit intercourse against the order of nature and also used to abuse her. It is further contended in the FIR that the petitioner made a

video of the complainant and used to snatch money on the threat of making the video viral. When the landlord came to know about these facts asked the petitioner to vacate the house. The allegations of slapping the complainant are also there. Thereafter, the petitioner was brought back to her paternal home by her father alongwith uncle.

3. Learned counsel for the petitioner has submitted that petitioner is in custody since 01.08.2023. He has further submitted that the present FIR is a result of concoctions. Infact, the marriage between the petitioner and the complainant was a simple marriage as they were having love affair. The parents of the complainant were not happy, as such, the petitioner and the complainant sought protection by way of filing a protection petition before this Court. However, later on the present FIR was registered as the complainant was under the influence of her father. The challan has already been presented and conclusion of the trial is going to take time so no useful purpose would be served by keeping the petitioner incarceration.

4 Notice of motion.

5. On advance notice, Mr. Harpreet Singh, Addl.AG,Punjab, DAG, Punjab. appears on behalf of the State and confirms the fact that the challan was presented on 28.09.2023. The charges have already been framed and there are 31 witnesses in the list of witnesses attached with the challan.

6. I have considered the said contentions of learned counsel for the parties and perused the paper book.

7. The petitioner is in custody for the last about 3 months. The investigation is complete. The conclusion of the trial is going to take time. No

useful purpose would be served by keeping the petitioner in custody during trial. As such, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/ Duty Magistrate, concerned and subject to the following conditions:-

- a). Petitioner would not leave India without prior permission of Trial Court.
- b). The Trial court shall take undertaking of the surety and of the petitioner in compliance of the aforesaid condition.
- c). Not to threat the prosecution witnesses and not to tamper with the evidence during trial.

8. Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

28th November, 2023

Shivani Kaushik

**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No