

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

CRM-M No.58082 of 2023 (O&M)
DATE OF DECISION : 20.11.2023

Baljeet Singh

.....Petitioner

versus

State of Punjab and Another

.....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Karanjeet Singh Brar, Advocate for the petitioner

ALKA SARIN, J. (Oral):

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.79 dated 14.09.2023 under Sections 498A, 354B, 148, 149 of the Indian Penal Code, 1860 (IPC) and Section 307 IPC added later on vide Rapat No.34 dated 06.10.2023 registered at Police Station Lako Ke Behram, District Ferozepur.
2. Learned counsel for the petitioner would contend that the petitioner has falsely been implicated in the case and that there is no truth in the allegations made by the complainant.
3. Notice of motion.

4. Mr. Adhiraj Singh Thind, AAG Punjab accepts notice on behalf of respondent No.1-State of Punjab while Ms. Sunita Chauhan, Advocate has accepted notice on behalf of respondent No.2-complainant.

5. Learned counsel for the respondent No.2-complainant has pointed out that the marriage of the parties took place on 10.11.2021. In May 2022 the respondent No.2-complainant was given beatings at her sister-in-law's place. A complaint was given regarding the same. However, subsequently, a compromise was entered into. A similar incident took place on 30.08.2022 when the respondent No.2-complainant was in her first trimester. Even then a compromise was entered into and the respondent No.2-complainant was sent to her matrimonial home. Thereafter, the present incident took place. The learned counsel has referred to the MLR which refers to nine injuries including a bruise of 16x0.5 cm on the front of the neck. There are other injuries as well as a bite mark on the right thigh.

6. Learned counsel for the State has also vehemently opposed the grant of anticipatory bail in the present case since the respondent No.2-complainant was brutally attacked by the in-laws and her husband. The learned counsel for the State has further pointed out that the petition filed by the parents of the petitioner being CRM-M No.54275 of 2023 was dismissed by this Court vide order dated 14.11.2023.

7. Heard the learned counsel for the parties.

8. In the present case the FIR was registered on the statement of the respondent No.2-complainant wherein she stated that her marriage was solemnized two years ago with Baljeet Singh, the present petitioner. There is

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one daughter born out of the wedlock who is about six months old. It is further the allegation that after the marriage the family of the in-laws started taunting her. It is further the allegation that during the period of two years, her father-in-law, mother-in-law and her husband i.e. the present petitioner had beaten her up many times and had thrown her out of the house. Some times Panchayats were convened and her parental family sent her back to the in-laws' house. On 10.09.2023 her mother-in-law Gurwinder Kaur and father-in-law Harjinder Singh told her that her parents had not given enough gold bangles at the time of the *Baraat* and had also not given gold *Kara*. She told them that her parents had given everything. When she was feeding her daughter at about 10.00 pm her husband (petitioner herein), father-in-law and mother-in-law came into the room while she was lying on the bed. The mother-in-law put a *Dupatta* around her neck and her husband (petitioner herein) started giving her fist blows continuously with an aim to kill her. The mother-in-law told the husband (petitioner herein) that the complainant had many times been told that no bangles were given at the time of the marriage nor a gold *Kara* was given whereas her father is posted with the police. Thereafter, her father-in-law started moving the *Dupatta* and told her husband (petitioner herein) that today they would kill her. The mother-in-law is also stated to have given the complainant fist blows which hit below the right eye. Her father-in-law is alleged to have twisted her left arm and her husband (petitioner herein) had bitten her on the thigh. She somehow managed to pull the *Chunni* and removed the same and ran outside raising noise "*mar ditta mar ditta*". When her *Taya Sasur*, brother of the father-in-law, namely Des Singh and second *Taya Sasur* Mukhtiar Singh came to her

house they are also stated to have joined hands with the petitioner’s family. Meanwhile, the public gathered there and the petitioner managed to escape from the place of occurrence. Thereafter the *Mama Sasur* (maternal father-in-law), who also came there, took her to the hospital.

9. The allegations made in the FIR co-relate with the injuries as stated in the MLR, a copy of which has been handed over to the Court during the course of hearing. There are nine injuries and each one of the injuries co-relates with the allegations levelled in the FIR. A specific opinion was given by the Medical Officer that “*according to injury No.1 i.e. bruise of 16x0.5 cm on front of neck, possibility of threat of life cannot be ruled out*”. The petition filed by the parents of the petitioner being CRM-M No.54275 of 2023 was dismissed by this Court vide order dated 14.11.2023.

10. Keeping in view the seriousness of the allegations and the injuries received by the respondent No.2-complainant, I do not find this to be a fit case for grant of anticipatory bail. The petition is accordingly dismissed. Pending applications, if any, also stand disposed off.

20.11.2023
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(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
