

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2024:PHHC:060277



CRM-M-2523-2024
Date of decision: 9th May, 2024

Charanjeet Singh
...Petitioner(s)
Versus
State of Punjab
...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. H.S. Jakhal, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 439 of Cr.P.C.
seeking regular bail in FIR mentioned below:-

FIR No.	Date	Police Station	Sections
148	14.12.2022	Lakho Ke Behram, Tehsil and District Ferozepur	498-A of Indian Penal Code, 1860 (for short 'IPC') (offence has been enhanced under Secstion 307 of IPC)

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Nancy Rani alleging therein that on 08.12.2022 at about 8-9 PM, her sister-in-law (*jethani*) Seema Rani who was residing in the neighbourhood, called the complainant to her house. Her husband and son were already present there. At that time, she was not feeling well and when her husband told her to hold their seven months' old son and

she requested him to not to do so as due to her high blood pressure, she was not able to hold him, her husband felt offended and started extending beatings to her. He threw her on the bed, sat over her and tried to strangulate her. Even her brother-in-law (*jeth*) Surinder Singh and his wife Seema Rani also extended beatings to her. She further alleged that Palak Rani who is her sister-in-law (*devrani*) and her husband Parwinder Singh (*devar*) also reached there in the meanwhile and threw her out of the house of her sister-in-law. She made a call to her father to narrate the incident to him. Her phone was snatched by her husband and she was extended beatings by other members of her in-laws family. She alleged that she was being harassed by her in-laws family on account of demand of dowry and her husband had told her to not to return her matrimonial house until the demand of motorcycle and gold was fulfilled. She further alleged that on 09.12.2022 also, the present petitioner, her husband and other members of her in-laws family extended beatings to her and her husband tried to administer some poisonous substance to her due to which she had started vomiting and Palak (sister-in-law) had made call to her father. Initially, a case under Section 498-A of IPC was registered. Subsequently, on 20.12.2023, offence under Section 307 of IPC was also added. The petitioner was arrested on 17.11.2023. After completion of necessary investigation and usual formalities, challan was presented in the Court and presently, he is facing trial for commission of aforementioned offences.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that the petitioner is father-in-law of

the complainant. He has been falsely implicated in this case. No specific role has been attributed to him. General and vague allegations qua the complainant being harassed, humiliated and extended beatings on account of demand of dowry have been levelled. There is nothing on record to connect him with the offence under Section 307 of IPC. Neither such offence has been made out from the record. No useful purpose would be served by detaining him in custody anymore. He is an old age person suffering from several ailments. The investigation and trial are likely to take time. Co-accused have been extended benefit of pre-arrest bail. With these broad submissions, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has argued that there are specific allegations against the petitioner and therefore, he does not deserve to be given concession of bail.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner who is father-in-law of the complainant along with her husband and other members of his family is alleged to have subjected her to cruelty on account of demand of dowry. It is also alleged against him that he along with his family members extended beatings to her on 09.12.2022 and had later on got her admitted in the hospital. The allegations of some poisonous substance having been administered to the complainant on 09.12.2022 are not as against the present petitioner and the same are against the husband of the complainant. The allegations as to

demand of dowry are also general in nature. The petitioner is in custody since 17.11.2023. Investigation against him stands completed. His custodial interrogation is no more required. Even the co-accused have been extended benefit of pre-arrest bail. The trial will take time as such, further detention of the petitioner would not serve any useful purpose. In view of this discussion, I am inclined to hold that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[MANISHA BATRA]
JUDGE

9th May, 2024
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |