



209

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

CRM-M-8773-2024

Date of Decision:- 26.09.2024

SUKHWINDER KAUR @ SUKHMINDER KAUR AND ANR

....Petitioners

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Ms. Palvi, Advocate for Mr. Ishan Gupta, Advocate
for petitioners.

Mr. Kewal Singh, Addl. A.G. Punjab.

Mr. A.D.S Jattana, Advocate for complainant.

AMARJOT BHATTI, J. (Oral)

1. Petitioners Sukhwinder Kaur @ Sukhminder Kaur and Gurcharan Singh have filed instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.15 dated 20.01.2023 under Sections 302, 452, 324, 109, 506 and 34 of IPC registered at Police Station Kabarwala, District Sri Muktsar Sahib.

2. As per the facts of the case, Prem Singh complainant gave his statement that he is father of three sons and a daughter namely; Surinder Singh, Narinder Singh @ Monu, Arwinder Singh and Jaswinder Kaur



respectively. House of his brother Tarsem Singh @ Gajjan is in their neighbourhood. His son Arwinder Singh had gone to Dubai and his daughter Ramandeep Kaur was married to Balwinder Singh @ Vicky who had also gone to Dubai for work and his niece Ramandeep Kaur used to reside in parental house. There were strained relationship on account of demand of dowry raised by her in-laws for the last about one and half year. Balwinder Singh @ Vicky was raising demand for gold chain, Bullet motorcycle and other household articles. He used to give threats that he will not rehabilitate Ramandeep Kaur. On 20.01.2023 at about 11.30 am Balwinder Singh @ Vicky came to the house of his brother Tarsem Singh and started abusing. On hearing the clamour, he along with his son Narender Singh @ Monu, Arwinder Singh and his wife Rachhpal Kaur went to the house of Tarsem Singh. Balwinder Singh @ Vicky was openly raising demand for dowry otherwise he will not take his wife to matrimonial home. They tried to make him understand. Out of anger, Balwinder Singh @ Vicky took out *kirch* tied with his leg and when his son Narender Singh @ Monu tried to stop him, he gave *kirch* blow in his abdomen and second blow on his left thigh. Thereafter, he attacked his brother Tarsem Singh and gave blow on his abdomen. His other son Arwinder Singh tried to stop Balwinder Sijng @ Vicky who gave *kirch* blow which hit on the left hand of Arwinder Singh. His third brother Gurpal Singh also reached on the spot to save them and Balwinder Singh @ Vicky gave *kirch* blow which hit on his both hands. In the meantime, sister of Balwinder Singh @ Vicky namely Sukhwinder Kaur and her husband Gurcharan Singh came to help Balwinder Singh. They threatened all the family members and abused them. They took away Balwinder Singh



@ Vicky along with them and managed to escape in their black coloured Alto car. In this occurrence Tarsem Singh and his son Narender Singh @ Monu succumbed to the injuries whereas others have also received injuries.

3. Learned counsel for petitioners argued that they are falsely implicated in this case. They have not committed any offence. Main accused Balwinder Singh @ Vicky was arrested and he is already facing trial. Present petitioners are also ready to join the investigation, therefore, anticipatory bail application may be allowed.

4. Bail application is opposed by learned counsel representing respondents. As per the status report, it is a double murder in which Balwinder Singh is in judicial custody and is facing trial. Present petitioners are evading the process of law and they have not joined the investigation till date. Therefore, they are not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record. As per the facts narrated above, present petitioners are not attributed any injury to the victims but both the petitioners reached on the spot and allegedly after giving threats took away Balwinder Singh @ Vicky along with weapon in their black coloured Alto car. Considering the role attributed to present petitioners, they are required to join the investigation. They were also present on the spot when the said occurrence took place. In this occurrence, two persons lost their lives whereas others were injured. Considering the manner in which offence took place, present petitioners are also required to join the investigation. Finding no merits, anticipatory bail filed by petitioners is declined.



6. Pending miscellaneous application(s), if any, stand disposed of accordingly.

26.09.2024
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(AMARJOT BHATTI)
JUDGE

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