

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

CRM-M-16098-2024

Date of Decision: 08.04.2024

GAGANDEEP SINGH

...Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MRS. JUSTICE NIDHI GUPTA

Present: Mr. Harchand Singh Batth, Advocate for the petitioner.

Ms. Aakansha Gupta, AAG, Punjab.

Mr. Rahul Bhargava, Advocate for respondent No.2.

NIDHI GUPTA, J. (Oral)

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 68 dated 23.10.2023 under Sections 323, 324, 498-A, 506 & 34 IPC registered at Police Station Jhander, District Amritsar Rural.
2. Mr. Rahul Bhargava, Advocate puts in appearance on behalf of respondent No.2 and has filed his Vakalatnama, which is taken on record.
3. Learned counsel for the petitioner submits that the petitioner was married to the complainant/respondent No.2 about 15 years ago and during this period, no complaint has been filed by the complainant. The only bone of contention between the petitioner and the complainant were two sisters of the petitioner who used to reside with them in the matrimonial home of respondent No.2. He further submits that petitioner be granted the concession of regular bail.
4. Learned State counsel vehemently opposed the prayer made by

counsel for the petitioner and refers to the FIR wherein very serious allegations have been made against the petitioners and his sisters, which is reproduced as follows:

“Statement of Harpreet Kaur wife Gagandeep Singh son of Surinder Singh, resident of Vichhoa. Tehsil Ajnala. District Amritsar daughter of Meher Singh, resident Kakka Kandiala, District TarnTaran Mob No. 9814055068, stated that I am the resident of the said stated address. We are three sisters and I do not have any brother. My marriage was solemnized with Gagandeep Singh son of Surinder Singh, resident of Vichhoa according to Sikh rites and rituals about 15 years earlier, Earlier at the time of my marriage, my mother and father have given dowry as Ishtridhan as per their status. After my marriage, two daughters were born namely Armit Kaur and Seerat Kaur. We were residing in our family, then at our house, my sister-in-law's Yasmeet Kaur @ Rimmy and Harneet Kaur @ Golu daughters of Surinder Singh and Gagandeep Singh, all three, in connivance with each other were causing me harassment since a long time and were causing mental and physical harassment that you do not have any brother in your parent's family, you all are daughters and you brought your share of land from your parents, otherwise we will not keep you in our house. Because there are only girls born to you, no son is going to born to you, because all of them, when I delivered my third baby, about which I was informed later that daughter was also born, who have died at the time of birth, who have informed me verbally later on that we have got you operated for not delivering any child, now you cannot give birth to a child and my mother and father went abroad to meet my sisters, then they have started harassing me more, I was working as teacher in a private school Hasham Shah School Jagdev Kalan. In this school my sister-in-law Yasmeet Kaur @ Rimmy, who was posted as Principal in this school she had terminated me from service and on 09.10.2023 it was a time of 4/5PM that I have an altercation with my husband regarding demanding meals, then both of my sister-in-law's Yasmeet Kaur and Harneet Kaur scuffled with me and started beating me and both of them have repeatedly pressed by neck and my breath was stopped for some time and they dragged me a lot. My husband and younger sister-in-law Harneet Kaur have pushed me on the sofa from the face down and pressed from the above and my elder sister-in-law Yasmeet Kaur heated something like iron tongs on the gas and hit me on my back side, arms, legs, soles of my feet and other parts of my body. They threw me upon giving beatings to me and I heard that my elder sister-in-law Yasmeet Kaur said that, look at, if she is alive or dead, in the meantime

my husband said that if she survives then my children will go to the School in the morning, then after that, I will see her, then in the meantime I became unconsciousness, then when I became conscious in the morning on 10.10.2023, at around 7.15 AM, on the pretext of going to bathroom, by taking alongwith both of my daughters, I went to the house of my relative's house, Manjinder Singh son of Nirmal Singh, resident of Vichhoa, who called my relatives on phone, who got me admitted in civil hospital with the help of Sakhivan Stop Centre, Tarn Taran, where doctors started treating me and have issued MLR regarding the injuries on my body. I am under treatment. If I would not have saved my life by coming out from home alongwith my children, then the above stated would have killed me, I am claimant. Due legal action be taken against the above stated. Statement is recorded, read over, is correct Sd/ Harrpreet Kaur, attested ASI Kuldeep Singh 1586 PS Jhandhar dated 19.10.2023.....

5. Learned State counsel also refers to the MLR report (annexure P-4) which is reproduced as follows.

Sr. No.	Injuries	Marked	Injury Number
1.	There are multiple burn mark of variable sizes with smallest in size is 5 MC X 1 CM and largest in size 8 CM X 4 CM present at middle of back, multiple blisters are present over the burns. Advise skin opinion.	Yes	1
2.	There are two scar mark of burn brownish in colour, one in size is 4CM X 2 CM and 2 nd in size is 4 CM X 1.5 CM is situated at lateral side of right bicep.	Yes	2
3.	There is burn mark brownish in colour of 3 CM X 2 CM at posterior side of right lower leg.	Yes	4
4.	There are multiple burn mark brownish in colour situated at planter side of left foot, smallest is size is 4 CM X 0.5 CM and largest is 6 CM X 0.5 CM.	Yes	3
5.	There are multiple scratch marks, linear in shape at chest, largest in length are 10 CM and smallest is 6 CM.	Yes	5
6.	There is pain over head, no swelling is seen.	Yes	6

Nature of injuries (Simple, Grevious, Dangerous or pending for observation)
Will be declared after skin, dermatologist opinion for injury No.1 and simple for injury No. 2, 3, 4, 5 & 6.
Probable Duration of Injury
Within 24 hours
Kind of Weapon Used (Sharp, Blunt, Firearm, Fire, Position etc)

Will be declared after receiving skin opinion.

6. Learned State counsel submits that other co-accused who are sisters of the petitioner are absconding till date. The case is still under investigation.
7. In view of the facts as noticed above, I find no merit in the present petition and the same is hereby dismissed.

(NIDHI GUPTA)

(JUDGE)

08.04.2024

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No