



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-39364-2024 (O&M)

Date of Decision: October 16, 2024

Ranjodh Singh

.....Petitioner(s)

Vs.

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Tejinderbir Singh, Advocate for the petitioner.

Mr. Maninder Singh, Sr. D.A.G. Punjab
assisted by ASI Rakesh Kumar.

SUDEEPTI SHARMA J. (ORAL)

The present petition has been filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.53 dated 25.05.2023, under Sections 328, 498-A, 406, 120-B IPC (Section 306 IPC added later on in place of Section 328), registered at Police Station Sadar Batala, District Gurdaspur.

2. Learned counsel for the petitioner contends that in the FIR, there is no direct allegations against the petitioner, who is the husband of the deceased and moreover, he was not in the country prior to 2 ½ years of happening of the incident. He further contends that :-

i) the main accused who was named in the FIR (Sarabjit Kaur) who is the mother of the petitioner and was staying with the deceased has already been granted bail, by this Court in CRM-M-45563 of 2023.

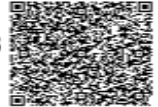
ii) the petitioner is in custody for the last 7 months 29 days as per the



- lii) that out of total 31 witnesses, only 3 have been examined.
- iv) that he has also placed on record statement of Balwinder Kaur who was examined as PW-2, mother of the deceased, who stated in her statement that in-laws of her daughter, namely Sarabjit Kaur (mother-in-law), Kulwant Singh (father-in-law) and Ranjodh Singh (husband of the deceased) never maltreated her daughter-Gurleen Kaur due to demand of dowry. She has not supported the case of the prosecution.
- v) that he has also placed on record statement of Sukhjit Singh (brother of the deceased), who was examined as PW-1 who too stated that his sister Gurleen Kaur died on 02.06.2023 due to consumption of poisonous substance as she was suffering from acute depression and in-laws of her sister namely Sarabjit Kaur (mother-in-law), Kulwant Singh (father-in-law) and Ranjodh Singh (husband of the deceased) never maltreated her due to demand of dowry. He has also not supported the case of the prosecution.
- vi) that he further contends that both the witnesses examined by the prosecution have turned hostile, therefore, he prays that the present petition be allowed and the petitioner be released on regular bail.

3. Learned State counsel contends that out of total 31 prosecution witnesses, only 3 witnesses have been examined and if the petitioner is released on bail, he would hamper the trial, therefore, he contends that the petitioner could not be granted the concession of regular bail. He prays for dismissal of the petition.

4. I have heard learned counsel for the parties and gone through the record.



5. Custody certificate dated 03.10.2024 and short reply dated 13.10.2024 have been filed in the Court today and the same are taken on record.

6. A perusal of the record shows that out of total 31 prosecution witnesses, only 3 witnesses have been examined so far. The petitioner is in custody for the last 7 months and 29 days. Two main star prosecution witnesses i.e. mother and brother of the deceased have not supported the case of prosecution and have turned hostile. The conclusion of the trial would take a long time to conclude, therefore, this Court opines that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

7. In view of the above, provided the petitioner is not required in any other case, therefore, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail bond and surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

8. However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail, in any manner.

9. It is also made clear that any observation made herein above shall not be construed as an expression of opinion of this Court on merits of the case.

10. Disposed off accordingly. Pending applications, if any, also stand disposed off.

(SUDEEPTI SHARMA)
JUDGE

October 16, 2024
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Whether speaking/reasoned:	Speaking
Whether reportable	Yes / No