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

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Date of Decision:- 27.02.2025

Surjit Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gaurav Vir Singh Behl, Advocate for petitioner.

Mr. Gautam Thapar, AAG, Punjab.

Mr. Karandeep, Advocate for complainant.

AMARJOT BHATTI, J.

1. Petitioner Surjit Singh has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.02 dated 02.01.2025, under Sections 74, 75(2), 76, 79 of BNS, 2023 registered at Police Station Amargarh, District Malerkotla (Annexure P-1).

2. As per facts of the case, complainant Kamalpreet Kaur filed written complaint that she came in contact with Arvinder Singh son of Surjit Singh in the year 2011. Thereafter, she got married with him on 04.02.2015. This marriage was performed against the wishes of his parents. After some time, at the instance of parents and elder sister of her husband, they started living with the parents of Arvinder Singh. In the year 2016, she gave birth to a daughter and sister of her husband Simardeep Kaur also got married in



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January, 2016. Unfortunately her husband Arvinder Singh expired in a road accident on 03.05.2022. At that time, she was 09 months pregnant. After about 20 days of the death of her husband, she gave birth to another daughter on 23.05.2022. Thereafter to look after her two daughters, she decided to stay in the matrimonial home. She kept on living with her mother-in-law and father-in-law Surjit Singh. Her father-in-law started harassing her with bad intention. He took undue advantage of her helplessness. After consuming liquor, he used to touch her in an inappropriate manner and also compelled to develop physical relations with him. She disclosed this fact to her mother-in-law but she did not believe her. On 21.12.2024 at about 12'O clock she managed to prepare a video with her mobile phone when her father-in-law again misbehaved with her in the absence of her mother-in-law. Due to inappropriate behaviour of her father-in-law, her shirt was torn and she managed to save her honour. He continuously pressurized her to develop physical relations with him. Ultimately, the matter was reported to the police.

3. Learned counsel for petitioner argued that petitioner is falsely implicated in this case in order to compel him to transfer property in the name of his grand-daughters. Matter has been settled vide compromise Annexure P-2 and he has agreed to transfer 10 Bighas each in the name of his grand-daughters and the sale deed will be executed on 30.12.2024. Prior to this, no complaint was filed against the petitioner. In fact the complainant has tried to blackmail him. The alleged videography has no weightage as the challan is yet to be presented. Petitioner will abide by the terms and



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conditions of bail order. It is prayed that his anticipatory bail petition may be allowed.

4. Learned counsel representing State has opposed the bail petition taking the stand that compromise is denied by the complainant. There are specific serious allegations against the petitioner. He has outraged the modesty of his widow daughter-in-law residing in the matrimonial home with her two children. Petitioner is yet to join the investigation.

5. I have considered the arguments and have gone through the record. Present FIR has been lodged on the statement of complainant who is the widow daughter-in-law of present petitioner. She lost her husband on 03.05.2022 and she kept residing in the matrimonial home along with her two daughters. After the death of her husband, there are allegations that present petitioner Surjit Singh @ Sita kept bad eye on the complainant. In the FIR she has narrated incidents when her father-in-law outraged her modesty and continuously compelled her to maintain physical relations with him. As per her version, she managed to prepare videography regarding the incident of 21.12.2024. The matter is under investigation. Allegations are specific and serious in nature.

6. Considering all these facts, I do not find a fit case for grant of anticipatory bail and the same is accordingly declined.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

27.02.2025

Sunil Devi

(AMARJOT BHATTI)
JUDGE

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