



CRM-M-57128-2024

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-57128-2024**Date of Decision:-10.01.2025****Sukhchain Singh & Anr.**

.....Petitioners.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Karandeep Singh Sidhu, Advocate for the Petitioners.

Mr. Harkanwar Jeet Singh, AAG Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this second petition(of petitioner no.1) and third petition (of petitioner no.2) under Section 483 of BNSS is for the grant of regular bail in case FIR No.145 dated 01.08.2022 under Sections 302, 34 IPC, 1860 registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

2. The FIR in the present case was registered at the instance of Amandeep Kaur and reads as under:-

“ Statement of Amandeep Kaur w/o Satnam Singh s/o Sukhchain Singh r/o village Ranjitgarh Jhuge, aged about 25 years, Mob. No.81466-35092, stated that I am resident of above mentioned address and I am house hold lady. The name of my father is Jaswinder Singh s/o Gurdial Singh r/o Lakho Ke Behram, District Ferozepur. My marriage was solemnized with Satnam Singh r/o Village Ranjitgarh Jhugge about 1½ years



ago. My husband does job in Army whose belt No.18011589 and Unit No.65, Company No.92 Bengal Engineer, Ambala Cantt. I have a daughter of 10 months namely Rehmat Kaur. After marriage, my husband and my in- laws started harassing me. My father-in-law used to keep an evil eye on me, to which I objected and they ousted me out from my matrimonial house. I went to my parental house. At that time, I was pregnant. Then my husband filed a case in the court seeking divorce from me, but I was not willing to give divorce, but I moved complaint to higher Army officers and in connection with it, I was summoned at Ambala Unit for 2-3 times, where I along with my maternal uncle Jarnail Singh and my father Jaswinder Singh had gone. On 12.07.2022 I was called again and I went there along with My uncle Jarnail Singh and my father Jaswinder Singh and Army officers asked me and my husband to live together for 20 days and during these 20 days, if there was no problem between us, then my husband was to withdraw the case and I was to withdraw the complaint filed in the Army. Then my husband brought me to village Ranjitgarh, but my husband and my in-laws again started harassing me. Today my father Jaswinder Singh had come to meet me and to give clothes to me as well as to my daughter and the time would be about 04.00 p.m. in evening, my in-laws were already quarreling with me and on seeing my father, they got more enraged and stated that my daughter Rehmat is cause of trouble and also said that we don't know who is father of this girl and then my husband snatched daughter from me. Then my mother-in-law Swaran Kaur and my father-in-law Sukhchain Singh asked my husband that "Is haram di ladki nu mar de", at which, my husband struck my daughter on ground after holding



her from legs. Me and my father tried to take back my daughter, but my husband did not give my daughter, who was unconscious. Then my father went outside while raising alarm. Seeing the people gathering, my husband and my father-in-law took my daughter and me in car forcibly and took us to Nagpal Hospital, Tibbi Sahib Road, Sri Muktsar Sahib where doctor asked us to take my daughter to some other hospital, even without analyzing her. When we came out of hospital, then leaving my daughter with me, my husband and my father-in-law fled away from there on car. In the meanwhile, my father reached there and my father took me and my daughter Rehmat Kaur to Civil Hospital, Sri Muktsar Sahib, where doctor examined my daughter Rehmat Kaur and told me that my daughter has died. The motive behind the occurrence is that my in-laws family doubted my character and told that this girl is not of their family. Due to that grudge, my husband Rehmat Kaur, father-in-law Sukhchain Singh and mother-in-law Swaran Kaur have killed my daughter mercilessly. The strict legal action may kindly be taken against them. The statement has been recorded to you, 4 heard and correct. Sd/ Amandeep Kaur verified by Sd/- Jaswinder Singh s/o Gurdial Singh r/o Lakho Ke Behram, FZR, statement corroborated by Sd/- Jagsir Singh SI, SHO PS Sadar SM, dated 31.07.2022."

3. The Counsel for the petitioners contends that the petitioners have been falsely implicated in the present case being the father-in-law and mother-in-law of the complainant. The FIR had been registered on account of the unfortunate incident of a scuffle between the husband and wife in which the infant Rehmat Kaur died. The allegations as set out in the FIR are



completely unbelievable. As the petitioners were in custody since 13.08.2022 and 23.09.2022 respectively but only a few of the prosecution witnesses had been examined so far, the trial of the present case was not likely to be concluded anytime soon and therefore, they were entitled to the concession of bail.

4. The learned State counsel on the other hand has filed reply by way of affidavit dated 09.01.2025 of Mr. Satnam Singh, PPS Deputy Superintendent of Police, Sub Division Sri Muktsar Sahib in the court today, which is taken on record. While referring to the same, he contends that the allegations levelled against the petitioners and their son were grave. The petitioners had been attributed the role of inciting their son to commit the offence. In fact petitioner no.1 kept an evil eye on the complainant as their son was in the army. The cause of death was cerebral damage as a result of blunt trauma to the head which was clearly an outcome of the act and conduct of Satnam Singh at the instance of the petitioners. He therefore contends that the petitioners were not entitled to the concession of bail.

5. I have heard the learned counsel for the parties.

6. Apparently, the petitioners and their son Satnam Singh were harassing the complainant Amandeep Kaur. Satnam Singh had also filed a divorce petition. In order to effect a settlement the complainant had come back to the matrimonial home. However, once against the petitioners started quarreling with her and levelled allegations of the deceased not being from the loins of Satnam Singh. In that situation, the petitioners are said to have incited their son Satnam Singh, father of the deceased and husband of the complainant who struck the deceased on the ground after holding her from the legs.

7. In view of the serious nature of the allegations, I am not



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inclined to grant the concession of bail to the petitioners and therefore the present petition stands dismissed.

8. However, in view of the attending facts and circumstances including the period of incarceration suffered by the petitioners, the Trial Court is directed to conclude the trial as expeditiously as possible but preferably within 06 months from the next date of hearing fixed before it.

(JASJIT SINGH BEDI)
JUDGE

January 10, 2025
Vinay

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