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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61460-2024

Date of Decision:- 14.02.2025

HARJIT SINGH

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Karandeep Singh Sidhu, Advocate for petitioner.

Mr. Gautam Thapar, AAG, Punjab.

Mr. Prabhjot Singh, Advocate for Mr. I.J.S. Chawla, Advocate
for the complainant.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.51 dated 23.08.2023 under Sections 323, 324, 354, 354-B, 148 and 149 IPC (Section 326 of IPC added later-on vide GD No.25 dated 27.09.2023) registered at Police Station Kotli Surat Malhi, Police District Batala, District Gurdaspur (Annexure P-1)

2. As per the facts of the case, Charanjit Kaur complainant gave her statement that she got married with Ranjit Singh in the year 2007 who expired on 15.10.2022. On 19.08.2023 she went to her in-laws house for conducting religious ceremony. At about 5/6 pm Nirmal Kaur, mother-in-law and Simarjit Kaur, elder sister-in-law stopped her for performing said religious ceremony of her husband. She resisted and on this Harjit Singh



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kirpan, Karanbir Singh armed with *datar* came out and attacked her. Harjit Singh raised lalkara. Malkeet Singh is attributed kirpan blows on the person of complainant whereas Karanbir Singh is attributed *datar* blows. She was given kick blows by Simarjit Kaur whereas her mother-in-law caught hold of her. Harjit Singh also outraged her modesty. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that allegations levelled against him are false. In-fact, there is a property dispute between complainant and her in-laws family and because of this, false allegations have been levelled against him. Other co-accused namely Simarjit Kaur and Karandeep Singh @ Karanbir Singh have been granted interim bail. Copies of orders are annexed as Annexures P-5 and P-6. Malkeet Singh has been granted interim relief in this FIR by Hon'ble Supreme Court of India in case bearing SLP (Criminal) Diary Nos.3461/2025 vide order dated 07.02.2025. Present petitioner was arrested in this case on 24.08.2024 and since then he is behind the bars. Trial is at initial stage. He will abide by the terms of bail order, therefore, his regular bail may be allowed.

4. Mr. Prabhjot Singh, Advocate for Mr. I.J.S. Chawla, Advocate for the complainant appeared on behalf of complainant and strongly opposed the bail application. It is pointed out that statement of complainant is yet to be recorded. However, it is not disputed that there is a property dispute between the complainant and members of in-laws family.

5. Bail application is opposed by learned counsel representing State. Detailed status report has been filed today, which is taken on record.

As per the status report, challan is presented on 22.11.2024 and the case is



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pending for prosecution evidence. It is pointed out that present petitioner is specifically named and specific role is attributed to him. Therefore, he is not entitled to be released on regular bail.

6. I have considered the aforesaid factual position and have gone through the record. Present petitioner has joined the investigation and he is behind the bars since 24.08.2024. Challan is also presented and prosecution evidence is yet to start. Other co-accused have been granted interim bail as referred above. No purpose would be served by keeping the petitioner behind the bars for indefinite time period. Therefore, without expressing my mind on the merits of the case, regular bail application filed by petitioner Harjit Singh is allowed and he is ordered to be released on bail to the satisfaction of trial Court/Duty Judge, concerned.

14.02.2025

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Whether speaking/reasoned:

Yes/No.

Whether reportable:

Yes/No

(AMARJOT BHATTI)
JUDGE