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

CRM-M-596-2025

Date of Decision:- 21.05.2025

JARNAIL SINGH

....Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Rajeev K. Sharma, Advocate for petitioner.

Mr. Sukhwinder Singh Rai, DAG, Punjab.

Mr. Raman Kumar, Advocate for respondent No.2.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.93 dated 25.04.2024 (Annexure P-1) under Sections 498-A and 376 IPC registered at Police Station Tanda, District Hoshiarpur.

2. Facts of the case are, prosecutrix 'K' filed written complaint against her husband and in-laws family alleging that her marriage was performed with Jarnail Singh on 05.06.2022. Her parents had given huge dowry as per their capacity. Her in-laws turned out to be greedy persons. She was taunted for bringing less dowry. There was demand for a cash of Rs.2 lakhs for their business. Her parents could not satisfy this demand. She was



turned out of the matrimonial home on 2-3 occasions. Matter was compromised with the intervention of respectables and she was time and again sent back in the matrimonial home. During her stay, she conceived but her in-laws did not want a child and they forced her for abortion to which she did not agree. Harassment started in the matrimonial home. They were insisting to divorce her husband. With these allegations, present FIR has been registered. During inquiry, it was further revealed that she was repeatedly raped by her brother-in-law Jaspal Singh as a result she became pregnant.

3. Learned counsel for petitioner argued that Jarnail Singh is behind the bars since 12.06.2024. He is the husband of the complainant. He has already joined the investigation. Challan is already presented. He will abide by the terms and conditions of bail order. Therefore, his regular bail application may be allowed.

4. Bail application is opposed by learned counsel representing State assisted by counsel for the complainant. It is pointed out that there was continuous maltreatment to the complainant in the matrimonial home on account of their demand of huge money. She was beaten up and even raped by her brother-in-law Jaspal Singh. As a result, she became pregnant and then she was forced to abort the child. Her husband wanted to take divorce from her. There are serious allegations. Statement of complainant was recorded under Section 164 Cr.P.C. and she was also medically examined. Challan is already presented in the Court on 11.09.2024 and even charges are framed on 26.11.2024. At present, case is pending for prosecution



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evidence. It is pointed out that considering the gravity of offence, petitioner is not entitled to be released on regular bail.

5. I have considered the aforesaid factual position. Petitioner had joined the investigation and since 12.06.2024 he is behind the bars. Trial in this case is going on. Allegations of rape are against co-accused Jaspal Singh, who is in custody. Present petitioner is the husband against whom there are allegations of maltreatment on account of demand of dowry. With these allegations, he cannot be kept behind the bars for indefinite time period. He is ready to abide by the terms of bail order. Therefore, without expressing my mind on the merits of the case, regular bail application filed by petitioner is allowed and he is ordered to be released on bail to the satisfaction of trial Court/Duty Judge, concerned.

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

(AMARJOT BHATTI)
JUDGE

21.05.2025

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