

CRM-M-16302-2015 (O&M)

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

**CRM-M-16302-2015 (O&M).
Decided on: August 24, 2015.**

Ramesh Kumar

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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**PRESENT Mr.R.S.Rai, Sr. Advocate, with
Mr.Karan Pathak, Advocate,
for the petitioner.**

Mr.C.S.Bakshi, Addl. A.G., Haryana.

M.M.S. BEDI, J. (ORAL)

Petitioner seeks concession of regular bail in a case registered at the instance of Krishan Lal alleging that his daughter Anupama who was married to the petitioner was maltreated, harassed and tortured on account of demand of dowry and was given merciless beatings resulting into suicide by her within seven years of marriage.

Counsel for the petitioner has vehemently contended that the material witnesses have already been examined and that it is prima facie apparent that the daughter of the complainant had died an unnatural death for reasons extraneous to the allegations levelled against the petitioner. He has further urged that from the cross-examination it is apparent that it is an admitted

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fact that the family of the petitioner is a conservative family whereas the deceased had lived a different type of life in urban area by staying in a hostel whereas the petitioner's family belongs to a village. The deceased was staying in a paying guest house in Panipat where she had allegedly consumed organophosphate. She had shifted to said accommodation few months prior to the occurrence.

In view of said circumstances, it has been vehemently urged that the statutory presumption under Section 113-A of the Indian Evidence Act, stands rebutted.

With the assistance of counsel for the petitioner, I have gone through the material which is available till date, pertaining to the culpability. I have also gone through the statements of the witnesses i.e., PW.2 father of the deceased and PW.3 brother of the deceased.

Without expression of any opinion or appreciation of testimony, it is sufficient to observe that the petitioner is the main accused being husband of the deceased and there being allegations of beatings, demands and threats to kill in case the demands were not fulfilled and she having died within a period of 7 years of the marriage, it is not found to be a fit case for grant of bail to the petitioner. So far as the arguments of counsel for the petitioner that the deceased was staying in P.G., is concerned, I have gone through the cross-examination of the witnesses who have explained that for

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two days in a week she used to stay in P.G., but for remaining days she used to stay in her matrimonial house as the petitioner used to take her to the matrimonial home. The circumstances whether she committed suicide on account of conservative family of the petitioner or on account of they being residents of village cannot be appreciated at this stage.

The petition is dismissed, at this stage.

(M.M.S.BEDI)
JUDGE

August 24, 2015.
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