

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-18553-2015 (O & M)

Date of decision:07.08.2015

Pushkar

...Petitioner(s)

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.N. Yadav, Advocate,
for the petitioner.

Mr. Rajesh Gaur, Addl.A.G., Haryana.

Rajan Gupta, J. (oral)

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail to petitioner in a case registered against him vide FIR No.396 dated 25.09.2014 under Sections 304-B/201 and 34 IPC, at Police Station Badshahpur Gurgaon.

Learned counsel for petitioner contends that suicide note in question does not show involvement of the petitioner. He is in custody since September 30, 2014. As trial may take long time no useful purpose would be served by detaining him. According to learned counsel, after the death of deceased, information was given to her relatives who attended the cremation and gave a statement to the police that they did not suspect any one for the death of deceased. Cremation took place in their presence.

Prayer has been opposed by learned State counsel. According to him, presumption under Section 304-B IPC is attracted as petitioner has died within three years of her marriage. According to him, suicide note is already on record. According to report from

Forensic Science Laboratory, Madhuban, Karnal, suicide note is written in the hand-writing of deceased herself.

I have heard learned counsel for the parties. Deceased died on 23.09.2014. Before that, she wrote a suicide note. According to report received from Forensic Science Laboratory, Madhuban, Karnal, the suicide note is in hand-writing of the deceased herself. During investigation, police also recorded statement of Lokesh Yadav, brother of deceased. He stated that the deceased was under the pressure for bringing more dowry including a car from her parents. Due to this reason, there was a quarrel between the two sides.

Keeping in view, the nature of allegations, contents of suicide note and statement of Lokesh Yadav, I am of the considered view, petitioner is not entitled to concession of regular bail.

Dismissed.

07.08.2015
sukhpreet

(RAJAN GUPTA)
JUDGE