

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-41341 of 2015
Date of Decision: 11.12.2015.**

Manjeet SinghPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. J.S.Brar, Advocate
for the petitioner.

Mr. A.S.Sidhu, AAG, Punjab.

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No. 34 dated 17.5.2015 under Section 302, 304-B, 120-B of the Indian Penal Code, 1860, registered at Police Station Samalsar, District Moga.

Prosecution story, in brief, is that Amandeep Kaur-sister of complainant Balbir Singh was married to Gurvinder Singh-son of the petitioner. As per the complainant, they had given sufficient dowry at the time of marriage of his sister Amandeep Kaur. However, Amandeep Kaur was harassed by her in-laws family on account of insufficiency of dowry. On 15.5.2015, Amandeep Kaur and her husband visited the complainant and Amandeep Kaur told her family members that she was having an

apprehension that she might be killed by her husband. The parental family of Amandeep Kaur pacified her. On 17.5.2015, complainant was present in his fields and at about 11.30 A.M., he came to know that car of his relative had met with an accident. When the complainant reached the spot, he saw that his sister was lying dead on the front seat of the car (adjacent to the driver seat) bearing No. DL-8-CM-5263 and her throat had been slit. However, brother-in-law of the complainant was not present at the spot.

Learned counsel for the petitioner has submitted that petitioner is in custody since 17.5.2015. As per the FIR itself, it was evident that the petitioner was not present at the spot. Petitioner has been falsely involved in this case as he was the father-in-law of the deceased.

Learned State counsel, on the other hand, has opposed the petition.

In the present case, as per the FIR, Amandeep Kaur had visited her parental family along with her husband on 15.5.2015. Further on 17.5.2015, complainant got the information that car belonging to his relative had met with an accident. When the complainant reached the spot, he saw that his sister was lying dead in the car and her throat had been slit. It is the case of the complainant that his brother-in-law was not present at the spot. Learned State counsel has failed to point out any material on record to the effect that petitioner was also present in the car at the time of the alleged occurrence.

Keeping in view the above facts and without expressing any opinion on the merits of the case, this petition is allowed.

Petitioner be admitted to bail subject to the satisfaction of Chief
Judicial Magistrate, Moga.

**(SABINA)
JUDGE**

December 11, 2015
Gurpreet