

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

**CRM-M No. 705 of 2015 (O&M)
Date of decision: 06.04.2015**

Tara Singh Petitioner.

Versus

State of Punjab Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. Vipin Mahajan, Advocate, for the petitioner.

Mr. K.S. Pannu, DAG, Punjab, for the respondent.

NAVITA SINGH, J. (ORAL)

Heard. The FIR was registered against the petitioner under Section 306 of the Indian Penal Code. He is in custody since 02.08.2014.

Deceased Sarabjit Kaur was married with the brother of the petitioner who died. After his death, she was married to the petitioner. The date of marriage of the petitioner with Sarabjit Kaur is not given in the FIR, nor the date of death of her first husband is given.

It is submitted by counsel for the petitioner that first husband of Sarabjit Kaur died in July, 1994, as is mentioned in the petition. Soon thereafter, Sarabjit Kaur was married to the petitioner, which would mean that they were married for at least 15 years if not more, before the alleged incident.

The allegation regarding demand of dowry after such a long time is not believable, as stated. Only one witness has been examined so far

and now an application under Section 319 of the Code of Criminal Procedure stands filed.

In view of the above, the petition is allowed and the petitioner is admitted bail subject to his furnishing bail bonds to the satisfaction of trial Court/Duty Magistrate concerned.

(NAVITA SINGH)
JUDGE

06.04.2015
Ramesh