

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

**CRM NO. M-33864 OF 2016
DECIDED ON : 28.09.2016**

Satyawan

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present : Mr. Rakesh Nehra, Advocate,
for the petitioner.

Mr. Himmat Singh, Addl. AG, Haryana.

RITU BAHRI, J. (ORAL)

The petitioner is seeking grant of regular bail in case FIR No.183 dated 25.03.2016 under Sections 304-B/34 of the Indian Penal Code registered at Police Station Rohtak, District Rohtak.

The petitioner is husband of the deceased-Pinki. As per allegations set up in the FIR, daughter of the complainant-Pinki was married to the petitioner on 14.02.2013 according to Hindu rites. A girl child was born out of the said wedlock on 17.11.2015. After few weeks, Pinki complained of head ache and she was admitted in Mansarovar Hospital, Rohtak. Later on she was admitted in PGIMS, Rohtak where she died.

Learned counsel for the petitioner has referred to the opinion of doctors mentioning the cause of death of Pinki, which is reproduced as under :-

“ After thorough perusal of the above mentioned records, the undersigned are of the considered opinion that “The cause of death in this case is brain pathology i.e Tumefactive Demyelination i.e a variant of Multiple Sclerosis.

Sd/-
(Dr. Kunal Khanna)
Asst. Professor

Sd/-
(Dr. Vinod Kumar)
Demonstrator

Department of Forensic Medicine, Pt. B. D. Sharma,
PGIMS, Rohtak.”

After the death of Pinki, the allegations made in the FIR are that after the birth of girl child, a demand of motorcycle was made by the petitioner and a ring was also demanded by the mother-in-law of deceased but the complainant could not fulfill their demands. The complainant further alleged that her daughter was given beatings by the petitioner and his mother.

Keeping in view that the cause of death is on account of brain pathology, at this stage, it cannot be linked with the harassment caused to the deceased, as alleged by the complainant in the FIR. Challan has been presented on 04.07.2016 and the charges are yet to be framed. The little girl child is in the house of petitioner and her grand mother is taking care of her. In these circumstances, the petition is allowed.

Petitioner Satyawar is ordered to be released on regular bail on his furnishing bail bonds to the satisfaction of trial Court/Duty Magistrate, Rohtak.

(RITU BAHRI)
JUDGE

SEPTEMBER 28, 2016

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| 1. | Whether speaking/reasoned ? | YES/NO |
| 2. | Whether reportable ? | YES/NO |