

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-42973 of 2015

Date of decision : 18.02.2016

Sahil Goyal

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Paras Talwar, Advocate
for the petitioner**

Ms. Harsimrat Rai, DAG Punjab

**Mr. Gautam Dutt, Advocate
for the complainant**

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 64 dated 21.07.2015 registered at Police Station Cantt. Bathinda, District Bathinda under Sections 304-B, 406, 302, 34 IPC (now Sections 304-B, 302, 406 IPC deleted and offence converted to Sections 306, 34 IPC).

Learned counsel for the petitioner contends that the petitioner was arrested on 23.07.2015 and the case has been committed. He further contends that initially the case was registered under Sections 304-B, 302, 406 IPC but those were deleted and challan had been filed under Section 306 IPC. He further contends that it was a case of hanging and the deceased was in a relationship with another boy and there were photographs in the mobile and when she was confronted with them and fearing that her family would come to know and cause embarrassment she had committed suicide. He further states that incident occurred in the morning at about 6.30 a.m.

The bail application is opposed by the complainant as well as State.

Learned counsel for the complainant urges that there are allegations of demand of dowry and the girl had died within 5 months of the marriage and It was a case of strangulation and two doctors had given their report but under the pressure of the complainant side, a new Board was constituted and it had been reported that it

could be a case of hanging. It was urged that the allegations are serious and bail

should not be allowed.

Learned counsel for the petitioner had placed on record Whats App chat between the deceased and the other boy and it was stated that they have photographs which they were not able to file alongwith their petition on account of objection by the Registry and deceased had committed suicide in the bath room and the door was found locked from inside. He further states that the deceased was taken to the hospital by the husband. He further contends that the family of the complainant had entered into their house and had taken away the mobile and the CCTV cameras and a case of theft has been registered against them.

The Whats App chat available on record relates to the period which is prior to the marriage of the deceased and petitioner. The petitioner side is not able to show any chat between the deceased and other boy after her marriage. In the initial report submitted by the doctors it was reported to be a case of strangulation. Thereafter, Board was formed which had reported that the possibility of death on account of hanging could not be ruled out. The allegations are serious. No case for bail at this stage is made out.

The petition is dismissed.

February 18, 2016

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**(ANITA CHAUDHRY)
JUDGE**