

CRM -M-45858 of 2016

-1-

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-45858 of 2016

Date of Decision: 17.3.2017

Sikandar Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. SPS Sidhu, Advocate
for the petitioner
Mr. Ankur Jain, AAG, Punjab
assisted by Mr. Dinesh Sharma, Advocate
for the complainant

Rekha Mittal, J.

The petitioner prays for grant of regular bail in FIR No. 17 dated 10.2.2016 for offence under Section 304-B read with Section 34 of the Indian Penal Code (in short "IPC") registered at police station, Sadar Ludhiana, District Ludhiana.

Counsel for the petitioner has submitted that Ramandeep Kaur was married to Varinder Singh son of the petitioner about five years before the occurrence. Out of their wedlock, one male child aged about 4 years was born. It is vehemently argued that there is no specific allegation against the petitioner with regard to demand of dowry or harassment to the victim. According to counsel, during investigation, it was found that the deceased was using mobile phone bearing No. 9781544657 and through the said

number, she was in constant touch with another boy and she had been exchanging nude pictures and many objectionable whatsapp messages and the same are a part of the challan. The last submission made by counsel is that the petitioner is in custody since 25.4.2016, challan has been presented in the court and conclusion of the trial is likely to take its own time.

Counsel for the State assisted by Mr. Dinesh Sharma, counsel for the complainant has opposed the prayer for bail with the submission that keeping in view gravity of allegation with regard to dowry death of the victim under unnatural circumstances in her matrimonial home, the petitioner may not be enlarged on bail. However, counsel for the State has not disputed plea of the petitioner with regard to exchange of objectionable pictures and messages from the aforesaid mobile number purported to be used by the deceased.

I have heard counsel for the parties, perused the paper book and the police records.

On a pointed query raised by the Court, counsel for the State has informed that as per medical opinion, Ramandeep Kaur died due to asphyxia caused because of hanging. Challan has been presented in the Court and conclusion of trial is likely to take its own time. There is no allegation against the petitioner that he is likely to flee from the process of justice in case enlarged on bail.

Without commenting upon merits of the case, bail to the petitioner subject to satisfaction of the trial court. However, the petitioner shall abide by the following conditions:-

- (i) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and

(ii)He shall not leave the limits of this country without prior permission of the Court.

Petition stands disposed of.

(Rekha Mittal)
Judge

17.3.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No