

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

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**CRM-M-12436-2018 (O&M)
Date of Decision: 23.03.2018**

Sushil Sharma & anr.

...Petitioners

Versus

U.T. Chandigarh

...Respondent

CORAM:- HON'BLE MS. JUSTICE LISA GILL.

Present:- Mr. Onkar Singh Batalvi, Advocate,
for the petitioners.

LISA GILL, J. (Oral)

The petitioners who are the parents-in-law of the deceased seek the concession of anticipatory bail in FIR No. 80 dated 28.02.2018, under Sections 304-B, 34 IPC registered at Police Station Sector 34, Chandigarh.

Learned counsel for the petitioners submits that the present petitioners who are the parents-in-law of the deceased have been falsely implicated in this case. No specific allegations have been alleged against the petitioners. Moreover, the petitioners' son duly intimated the police authorities on 18.02.2018 regarding his wife missing from the matrimonial home. Reference is made to Annexure P-2 i.e. DDR No. 27 dated 18.02.2018, wherein the petitioners' son (husband of the complainant) has stated that his wife left the house at about 12 noon on 18.02.2018 and she had not returned home. It is further mentioned that his wife made a video call at about 3.15 p.m. by saying that this would be her last call and she said good bye.

Learned counsel for the petitioners further submits that the minor child of the deceased i.e. grand daughter of the petitioners' is being maintained by them. There is none else to look after the minor child.

Moreover, no complaint was ever lodged, since marriage of the deceased in 2012 till the unfortunate occurrence. It is thus prayed that this petition be allowed.

I have heard learned counsel for the petitioner and have gone through the file.

The present FIR was registered on the statement of father of the deceased to the effect that the marriage of his daughter(deceased) was solemnized with the son of the petitioner on 15.04.2012. Sufficient dowry at the time of marriage was given to the in-laws of the deceased. However, after marriage, all the accused persons used to physically abuse the deceased on account of bringing insufficient dowry and they also raised demands of dowry. It is further alleged that on 18.02.2018, severe beatings were given to the deceased by her husband and she was ousted from the house. On the intervening night of 26/27.02.2018, dead body of the complainant was recovered from the canal/river of Samana District Patiala (Punjab). It is alleged that the complainant's daughter died due to physical abuse and demands of dowry by all the accused persons.

It is not in dispute that the petitioners were living together along with deceased and her husband. The petitioners' daughter-in-law has met an unnatural death within 6 years of the marriage while she was living in the matrimonial home. There are specific allegations against the petitioners. Contention that the petitioner's son himself lodged DDR No. 27 is of no avail to the petitioners in the facts and circumstances of the case. The deceased was admittedly working as a nurse, having one daughter out of the wedlock. It cannot be said at this stage that custodial interrogation of the

petitioners is not required.

At this stage, I do not find any ground whatsoever to extend the benefit of anticipatory bail to the petitioners.

Petition is accordingly dismissed.

It is clarified that none of the observations in this order shall be construed to be an expression of opinion on the merits of the case and the same are confined for the purpose of decision of this case.

March 23, 2018
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(LISA GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No