

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

**Criminal Misc. No. M-49723 of 2018 (O&M)**  
**Date of decision : November 19, 2018**

Jagdish

....Petitioner

versus

State of Haryana

....Respondent

**Coram: Hon'ble Mr. Justice Fateh Deep Singh**

**Present :** Mr. Keshav Pratap Singh, Advocate, for the petitioner  
Mr. Munish Sharma, AAG, Haryana for the State

**Fateh Deep Singh, J. (Oral)**

The allegations against petitioner father-in-law of deceased Pooja are that she was married to son of the petitioner namely Deepak on 29.4.2016 and on account of harassment and demand of dowry at the hands of the accused, she was physically assaulted on a number of times and in spite of best endeavours of the families and relations, the accused did not desist from the same. It is alleged that on 19.8.2018, a telephonic call was given by the deceased to her uncles detailing her plight whereby her husband Deepak, father-in-law the present petitioner with the intention to kill her were giving beatings and had asked them to come and when these persons rushed to the spot, they saw the dead body of Pooja having been

crushed under the gas cylinder leading to the registration of the present case and arrest of the petitioner on 22.9.2018.

Mr. Keshav Pratap Singh, learned counsel for the petitioner has inter-alia argued that the petitioner is handicapped person by placing reliance on Annexure P/2 and thus, on account of his physical inability, the allegations qua him do not subsists and that the petitioner is behind the bars since 22.9.2018.

Learned State counsel on instructions from ASI Akhtar Hussain, PS Hodal, District Palwal has argued that the medical evidence materially corroborate how the deceased was put to death and that specific allegations against the petitioner father-in-law have come about in the FIR and therefore, if allowed bail, the petitioner would influence the witnesses.

Going through the submissions of the two sides, a prima facie look at the allegations show that it was on account of demand of dowry, the deceased was physically abused by her husband including the present petitioner who happens to be the father-in-law and even on the date of the occurrence she had telephoned her uncles to highlight her plight as is reflected from the allegations. The dead body of the deceased was lying under the gas cylinder. The death having occurred in her matrimonial home within three years of her marriage on account of demand of dowry and therefore, in view of the heinousness of crime and seriousness of allegations does not entitle him to any relief. The mere fact that the petitioner is behind the bars since 22.9.2018 is not an extenuating circumstance for the grant of

bail. The present petition thus stands dismissed.

November 19, 2018

( Fateh Deep Singh )  
Judge

'tiwana'

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No