

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

**Crl. Revn. No. 1730 of 2018 (O&M)
Date of decision : 25.09.2018**

Gurjeet Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. N.K. Vadehra, Advocate
for the petitioner.

ANITA CHAUDHRY, J.(ORAL)

CRM-33893-2018

For the reasons set out in the application, same is hereby allowed as prayed for and accompanying documents (Annexure P-2 to P-4) are allowed to be taken on record.

MAIN CASE

The petitioner has assailed the order vide which the application filed by him has been dismissed.

Few facts are necessary to be sketched. Simarjit Kaur was married to Achintdeep Singh. It was the second marriage for this couple. The marriage took place in 2013. A child was born in November 2014. The allegations are that she was thrown out of the house on 24.07.2015. The complainant went to the in-law's house to make them understand but they refused to consider their request and demanded Rs. 2 lacs or a new car. On this, a complaint was given to the police but the matter was compromised

and Simarjit Kaur returned to her matrimonial home. Six months later the petitioner got a call from Simarjit Kaur that she had been beaten and there were injuries on her face and neck. The petitioner promised to come the next morning and when they went to the house the next day they found a number of people standing at the gate of the house and he found the dead body lying on the cot and there were blood stains on the bed sheet and the pillow. The complainant suspected that Simarjit Kaur had been murdered and her clothes had been changed subsequently.

The police investigated the case and filed the challan only against the husband.

The trial had commenced and the complainant made his statement and thereafter moved an application for summoning the other persons named in the FIR. That application has been dismissed.

I have heard the counsel for the petitioner at great length.

Counsel for the petitioner has placed on record the copy of the FIR, the application filed under Section 319 Cr.P.C. and the document Ex.PW1/A referred to in the statement. I find no merit in the revision. The petitioner seeks to summon the married sister-in-law who had been married prior to the occurrence. Her presence in the house on that day was doubted by the police. The allegations levelled by the complainant were that Simarjit Kaur had been murdered and they had found blood stains on the bed sheet and the pillow. The police had filed the challan under Section 304-B IPC. The cause of death noted in the PMR was asphyxia. They did not find any external injury and it was reported to be suicidal hanging. The complainant had given an exaggerated account, which was noted by the trial Court. The

Investigating Officer did not find any blood stained clothes or pillow. The trial Court had also gone through the recovery memos prepared by the police. The trial Court also took into account the allegations which were levelled earlier in August 2015 and the compromise effected between the parties. In the compromise Ex.PW1/A it was only stated that they would respect each other and respect would be given to the in-laws and the in-law's family would allow the girl to speak to her parents on phone. There is no reference to any beating or dowry demand. The police had investigated the matter thoroughly and had filed the challan only against the husband. The complainant had failed to bring any additional material to show the involvement of any other accused. The trial Court had rightly dismissed the application. There is no infirmity in the order.

The petition is dismissed in limine.

25.09.2018

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(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No