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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2064/2017**

PARMINDER SINGH BAWA

..... Petitioner

Represented by: Mr. Harpreet Singh Popli, Mr.
Anuj Yadav, Mr. Ankit
Kaushik and Mr. Abhishek
Dalal, Advocates.

versus

STATE

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
for the State with SI Ajay
Kumar, PS Rajouri Garden.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.03.2018

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1. By this petition the petitioner seeks bail in case FIR No. 561/2015 under Sections 498A/304B/406/34 IPC registered at PS Rajouri Garden, New Delhi.

2. The above noted FIR was registered after an information was received at PS Rajouri Garden on 26th April, 2015 informing “Bhabhi room ka darwaja nahi khol rahi hai”. The said information was recorded vide DD No. 17 at Police Post and handed over to SI Parvesh. On reaching the spot, he got to know that Harpreet Kaur, wife of the present petitioner has committed suicide by hanging herself from fan in her room and locking herself inside the room. The deceased Harpreet Kaur was taken to the hospital by her husband and neighbours after the breaking the window of the

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room.

3. Statement of father of Harpreet Kaur besides her mother and two sisters was recorded by the SDM. In the statement father of Harpreet Kaur stated that his daughter was married to Parminder Singh Bawa on 27th August, 2008 and from the wedlock they had a son aged five years. His daughter was residing with her father-in-law, mother-in-law, husband and sister-in-law Simran Kaur in the matrimonial home. Father of the deceased alleged that the in –law used to harass his daughter and inflict physical and mental torture to her due to which earlier also he had made police complaint. After accepting their mistake, the in-laws assured improvement of behaviour however, there is no change in the behaviour and they continued to harass his daughter. The in-laws of the decease did not like her family members to visit their house. The articles of streedhan given to the deceased were also sold as the same were not to their liking. The in-laws also demanded a bigger fridge. They further sold the gold given to the in-laws. It is the case of the complainant that the petitioner used to abuse the deceased due to which she used to remain upset. The deceased Harpreet kaur told to her other sister that the petitioner was demanding ₹2 lakhs and threatened to kill her in case the demand was not fulfilled on the day previous to the incident.

4. The petitioner was taken in custody on the same day, that is, 26th April, 2015. During the course of trial all material witnesses including the parents and sister of the deceased besides the minor son of the petitioner have since been examined.

5. Learned counsel for the petitioner submits that the testimony of the minor son of the petitioner is completely tutored for the reason that father of

the petitioner was not even present in Delhi when the deceased committed suicide whereas son of the petitioner in his cross-examination stated that the father of the petitioner had beaten the deceased.

6. According to the testimony of the son of the petitioner, the allegations are of physical abuse by the petitioner. Even in the statements of the witnesses the thrust of the allegations is more of physical abuse than dowry demand. However, considering the fact that the petitioner has been in custody for the last nearly three years and all material witnesses have since been examined, without commenting on the merits of the case, this Court deems it fit to grant bail to the petitioner. It is, therefore directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court, further subject to the condition that the petitioner will not leave the country without prior permission of the Trial Court and in case of change of residential address the same will be intimated to the Trial Court by way of an affidavit.

7. Petition is disposed of.

8. Order dasti.

MUKTA GUPTA, J.

MARCH 14, 2018

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