

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-288 of 2019 (O&M)
Date of decision : March 15, 2019

Jasvir Singh

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Ms Manjeet Kaur, Advocate, for the petitioner

Mr. Avtar Singh Sandhu, Addl. AG Punjab for the State

Mr. BS Jattana, Advocate, for the complainant

Fateh Deep Singh, J. (Oral)

This is a regular bail application by accused-husband Jasvir Singh in case FIR No. 48 dated 30.5.2018 under Sections 304-B and 498-A IPC, Police Station City-1, Mansa.

The present case was got registered on the statement of Billu Ram father of deceased Rajni. In his allegations complainant states that his daughter was married to the accused-petitioner in the year 2013 wherein sufficient dowry articles were given. However, the petitioner-husband and his family including his co-accused were not happy with it. It is further

alleged that during the course of events when the petitioner secured a government job, he started ill-treating the daughter of the complainant and demanded more dowry including demand for money. The complainant states that his daughter used to confide in him of this ill-treatment and demand of dowry and even on 30.5.2018 a small time prior to this occurrence she has telephonically informed the complainant of the same. Faced with this ill-treatment and harassment, the deceased is alleged to have died an un-natural death by way of strangulation resulting in registration of the present case.

Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated after five years of marriage and has two minor daughters to maintain and has undergone incarceration for more than nine and a half months. It is further alleged that one of the co-accused has been allowed bail whereas the other co-accused have been declared as innocent during investigations arguing that the petitioner at the time of alleged occurrence was on duty and never happened to be present at the place of occurrence.

Mr. Avtar Singh Sandhu, Addl. AG Punjab assisted by Mr. BS Jattana, counsel for the complainant has sought to oppose the bail on the grounds that the allegations are specifically levelled against the husband and the accused and that soon before the death the complainant was informed by the deceased of this ill-treatment and demand of dowry and she died at the house of her in-laws under suspicious circumstances. It was

argued that if the petitioner is allowed bail there is likelihood that he would stifle the trial.

Appreciating the submissions, the complainant in his complaint has levelled specific allegations against the petitioner-husband. There is demand of dowry and ill-treatment, on account of the same a young lady has died within seven years of marriage and there are clear-cut allegations levelled by the complainant of demand of dowry and has ill-treated the deceased immediately prior to her death. It is not displaced that the death has occurred on account of strangulation, thus, under suspicious circumstances. The apprehension of the State that if allowed bail, the petitioner might influence the trial is not unfounded. In view of seriousness of the offence, no ground for grant of bail is made out. The present petition is, thus, dismissed.

March 15, 2019
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No