

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

CRM-M-5431-2019 (O&M)

Date of Decision:- 14.11.2019

Pardeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mukesh Yadav, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

Mr. Parbhjot Singh Sullar, Advocate for the complainant.

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of regular bail in case registered vide FIR No. 80 dated 23.4.2018 under Sections 302/304-B/406/498-A/34 IPC at Police Station Ateli, District Mahendergarh.
2. The FIR was lodged at the instance of Dharambir wherein it has been alleged that his daughter Ruby was married to Pardeep on 7.12.2015 and that he had given an amount of ₹ 4,51,000/-, motorcycle, refrigerator, cooler, T.V., Washing Machine, Almirah and various other household articles and also gold ornaments in dowry in accordance with his capacity. However, the in-laws of his daughter were not satisfied with the dowry. It is alleged that petitioner Pardeep (husband of the deceased) used to beat complainant's daughter frequently and demanded a swift car in place of a motorcycle. Even, the father-in-law, mother-in-law and sister-in-law of complainant's

daughter used to taunt her for having brought less dowry and gave beatings to her. Although, the complainant had tried to reason out with the in-laws of his daughter but there was no change in their behaviour. It is alleged that his daughter had also disclosed that her husband Pardeep was having illicit relations with his sister-in-law Munesh and used to taunt her on this count as well. It is alleged that on 22.4.2018, her daughter made a telephonic call and informed them that her husband and her in-laws were ill-treating and harassing her and asked the complainant to take her from her matrimonial home. The complainant's wife calmed down his daughter while telling her that she would be taken from her matrimonial home the very next day. It is alleged that on 24.4.2018, at about 9.40 p.m. the complainant's son-in-law informed the complainant telephonically that complainant's daughter Ruby was not well and they were taking her to Kailash Hospital. Upon receiving the said information, the complainant reached the said hospital where he found that his daughter was dead. The complainant noticed that his daughter was having marks around her neck and thus alleged that his daughter has been killed by the accused.

3. The learned counsel for the petitioner has submitted that a false FIR has been lodged and that it is a case where the deceased was under some depression and committed suicide without there being any abetment on part of petitioner.
4. Opposing the petition, the learned State counsel assisted by learned counsel for the complainant has submitted that in the present case the accused had attempted to give the entire incident a colour of suicide by first killing the deceased by strangulation and later by hanging her body with the help of a

rope. The learned counsel has submitted that it was pursuant to directions issued by this Court that a Medical Board was constituted, which has specifically opined that it is a case of death due to strangulation which would evidently rule out the case of commission of suicide.

5. I have considered rival submissions addressed before this Court.
6. Bearing in mind the nature of allegations and the fact that the petitioner is the husband who is otherwise expected to have ensured the safety of his wife and that it is a case where the complainant's daughter had died an unnatural death in her matrimonial home, no case for grant of bail is made out at this stage.
7. The petition is sans merit and is hereby dismissed at this stage.

14.11.2019

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No