

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M 13259 of 2019

Date of Decision: April 01, 2019

Santosh

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Mohd. Yousaf, Advocate
for the complainant.

FATEH DEEP SINGH, J. (Oral)

This order shall dispose off the second regular bail application under Section 439 Cr.P.C. moved in FIR No. 0129 dated 16.07.2018 under Sections 304-B and 34 IPC registered at Police Station Division No.1, Jalandhar, the first one having been dismissed as withdrawn as that stage by this Court vide order dated 22.01.2019.

The brief allegations have been levelled by complainant Arun Sangar brother of deceased Samita. It is that the deceased was

got married to the son of the petitioner, namely, Naresh Kumar on 12.12.2017 and in spite of sufficient dowry articles having been given at the wedding, the accused were not satisfied with the same and demanded more. It is alleged that when the husband came back few days prior to this occurrence from Saudi Arabia, a demand of Rs.13,00,000/- was raised by the accused side and the family of the deceased agreed to pay a sum of Rs.5,00,000/- within few days and paid Rs.1,00,000/- at the time of their visit. However, in spite of the assurance by the family of the deceased, the accused did not desist from physically and mentally torturing the deceased and on 16.07.2018 a telephonic message was received around 3/4 p.m. intimating the death of the deceased by hanging.

Mr. C.S. Rana, learned counsel for the petitioner, *interalia* contends that the petitioner is aged mother-in-law and is behind the bars since more 7 months and that the trial is not likely be concluded in near future.

On behalf of the State, Mr. Saurav Khurana, DAG, Punjab, assisted by ASI Satnam Singh and Mr. Mohd. Yousaf, learned counsel for the complainant has opposed the bail on the ground of seriousness of allegations and heinousness of offence. It is argued with much vehemence that there are specific averments having been made by the complainant over the demand of more money and that the death having taken place within less than a one year and had shown

apprehension if allowed bail the petitioner might stifle with the trial.

Going through the submissions, the allegations that have come about by the complainant side are of attributing specific demand and role of the petitioner in the commission of the offence. A young bride has died under mysterious circumstances within 7 months of her marriage and there are allegations of demand of money immediate prior to the death. In view of the seriousness of the allegations and the apprehension of the State that if allowed bail might stifle with the trial, no case is made out for grant of bail.

Dismissed.

April 01, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No