

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-29838-2019 (O&M)
Date of Decision:- 17.9.2019

Jaswant Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harsh Chopra, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab,
assisted by SI Raghbir Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of FIR No. 61, dated 12.5.2019, registered at Police Station Maqsudan, District Jalandhar, under Sections 304-B, 34 IPC.
2. The FIR was registered at the instance of Baljit Kaur step mother of the deceased wherein it is alleged that her daughters Hardeep Kaur and Kirandeep Kaur were married to two brothers namely Jaswinder Singh and Jaswant Singh respectively. It is alleged that the husbands

of her daughters as well as their mother-in-law Amar Kaur however, used to harass her daughters in order to press upon their demands of dowry, due to which her daughter Hardeep Kaur used to remain disturbed. It is alleged that on 6.5.2019 when she had gone to visit her daughters, her son-in-law Jaswant Singh had returned from Dubai on the said day and she requested him not to press upon their demands of dowry. It is alleged that on the next day i.e. 7.5.2019, while she was at her home, she received a call from the matrimonial village of her daughters asking her to reach there immediately and when she went there she saw that her daughter Hardeep Kaur was lying dead in the courtyard. It is alleged that Hardeep Kaur, being fed-up by her husband Jaswinder Singh, brother-in-law Jaswant Singh and mother-in-law Amar Kaur had committed suicide or she had been killed by them.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that for about one year prior to the alleged occurrence i.e. from 2.6.2018 to 6.5.2019 he was in Dubai. Learned counsel in this regard has referred to a petition filed by Kirandeep Kaur wife of the petitioner in the High Court i.e. CRM-M-20830-2019 (Annexure P-4) wherein she has categorically stated about the petitioner being abroad since 2.6.2018.
4. Learned counsel for the petitioner has further submitted that in fact the petitioner's wife admittedly knew Sukhraj Singh since the last 4-5 years as had been admitted by her in her petition (Annexure P-4) and had started living with said Sukhraj Singh after leaving her

matrimonial home and had thereafter approached this Court by way of filing a petition (Annexure P-4) along with Sukhraj Singh seeking protection of their lives. It is submitted that the petitioner upon coming to know about the aforesaid conduct of his wife, immediately rushed back to India on 6.5.2019 and it was on the next day that his wife's sister committed suicide. Learned counsel has submitted that the deceased had probably committed suicide either due to shame and embarrassment since her sister despite being married had eloped with another boy or due to some depression and that the petitioner cannot be said to have abetted commission of suicide by her.

5. Opposing the petition, learned State counsel has submitted that since the petitioner was very much present in India on 7.5.2019, when the suicide was committed by Hardeep Kaur, no case for grant of anticipatory bail is made out.
6. I have considered rival submissions addressed before this Court. Bearing in mind the aforestated factual position especially the fact that the petitioner had been residing in Dubai since the last about one year, prior to the day of occurrence and the fact that there had been another incident in the family i.e. the real sister of deceased who was wife of petitioner had eloped with another boy to the embarrassment of entire family and which would have seriously affected the mental state of deceased, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such, is accepted. In the event of arrest, the petitioner be released on anticipatory bail subject to his furnishing personal bonds and surety bonds to the satisfaction of

Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

September 17, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No