

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

CRM-M No.34366 of 2019

Date of decision: 3rd September, 2019

Devender Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. G.S. Madaan, Advocate for the petitioner.

Mr. Amrik Narwal, Dy. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J.

Petitioner Devender Singh accused in case bearing FIR No.300 dated 29.04.2016 under Sections 304B, 328, 302, 120B IPC pertaining to Police Station City Sirsa, has sought regular bail under Section 439 Cr.P.C.

One lady aged around 25 years, who happens to be the wife of the petitioner, was rushed to the hospital on 29.04.2016 after consuming some poisonous substance and where she died the same very day. It was on the statement of the complainant Kashmir Singh, paternal uncle of the deceased, the present case was got registered.

Learned counsel for the petitioner Mr.G.S. Bawa, Advocate inter alia contends that though the marriage had taken place on 27.03.2011 but there is no allegation in-between till the death of the deceased and that no specific role is attributed to the petitioner in

commission of the offence, arguing further that the petitioner is behind bars for more than three-and-a-half years and the trial is not likely to conclude in the near future.

Learned State counsel on instructions from HC Jagpal Singh, Police Station City Sirsa, has opposed the bail on the grounds that the deceased has died an unnatural death within seven years of her marriage and there are allegations of demand of dowry and physical abuse of the deceased and if allowed bail the petitioner might influence the trial.

Appreciating the submissions of the two sides, apparently the deceased has died within seven years of her marriage under suspicious circumstances by way of poisoning. The petitioner happens to be the husband and there are specific allegations together with the fact that apprehension of the State that if allowed bail the petitioner might influence the trial, is not unfounded. Mere incarceration is no extenuating circumstance. In the light of heinousness of the offence and seriousness of allegations, the petitioner does not deserve any relief. The petition, being hopelessly without merit, stands dismissed.

(FATEH DEEP SINGH)
JUDGE

September 3, 2019

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No