

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-34353 of 2019 (O&M)
Date of decision : November 07, 2019

Parveen Kumar

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Gaurav Mohunta, Advocate, for the petitioner

Mr. Baljinder Virk, DAG, Haryana for the State with
HC Jitender, PS City Sirsa

Mr. Tarun Sharma, Advocate, for
Mr. PS Jammu, Advocate, for the complainant

Fateh Deep Singh, J. (Oral)

The allegations in this second regular bail application under Section 439 Cr.P.C., the earlier one having been dismissed as withdrawn, against petitioner husband Parveen Kumar have come about from complainant father-in-law Prithvi Raj. It is alleged that eldest daughter of the complainant namely Sunita aged around 26 years was married to the petitioner on 1.2.2017 where sufficient

dowry articles were given. It is alleged that the petitioner and his mother, brother and his family often used to taunt the deceased for insufficiency of the dowry. It is alleged that in the year 2017 around Diwali, the deceased was physically assaulted by the accused side for which a Panchayat was convened and 3-4 days prior to this occurrence, the deceased had confided in the complainant and others of her plight. It is on 3.3.2018, the complainant received a telephonic call that the deceased committed suicide by hanging herself leading to the registration of the present case.

Learned counsel for the petitioner has argued that the previous bail application was withdrawn on the assurance of a compromise by the complainant and has sought to place reliance on the application Annexure P/13. It is contended that a close look at the allegations do not attribute any specific role to the petitioner and merely because he happens to be a husband has been falsely implicated arguing that the wife committed suicide as the husband was selected and likely to join his duties at a distant place.

Learned State counsel assisted by counsel for the complainant have strongly opposed the grant of the relief on the grounds of heinousness and the fact that if allowed bail, there is every likelihood that the petitioner might influence the witnesses at

the trial.

In the light of what has come up before this Court in the submissions, within one year and one month of this marriage, the deceased had died an un-natural death by means of hanging. There are allegations of the complainant father of the deceased that the deceased was harassed on account of insufficiency of dowry and was also physically assaulted. The mere fact that the petitioner is behind the bars is no extenuating circumstance for the grant of relief. In view of heinousness of the allegations and the apprehension of the State that if allowed bail, the petitioner will influence the trial is not unfounded. The present petition thus stands dismissed.

November 07, 2019
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No