

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

CRM-M-34563-2019 (O&M)  
Date of Decision:-29.8.2019

Sukhvir Singh ... Petitioner

Versus

State of Punjab ... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Dharminder Singh Randhawa, Advocate for the petitioner.  
Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

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**GURVINDER SINGH GILL, J.**(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.142 dated 30.4.2018 at Police Station Sahnewal, District Ludhiana under Sections 304-B and 34 of Indian Penal Code.
2. The FIR in question was registered at the instance of Gurpreet Singh (brother of deceased Harpreet Kaur), wherein it has been alleged that her sister Harpreet Kaur had solemnized marriage with Sukhvir Singh on 9.10.2017 and they had been residing happily in their family. About 3-4 months back, the petitioner Sukhvir Singh is alleged to have demanded a motorcycle and when complainant's sister conveyed the said demand to the complainant and the complainant informed his sister that they were unable to give motorcycle, his sister told him that she would kill herself. On 30.4.2018, the complainant

received a telephonic call from Sukhvir Singh's father that Harpreet Kaur had hanged herself and had died.

3. The learned counsel for the petitioner has submitted that a false FIR has been lodged and that infact there was never any demand of dowry since it was a case of love marriage and the deceased had married the petitioner against the wishes of her parents. The learned counsel has further submitted that infact the deceased committed suicide since her parents were never happy with her marriage and always used to pressurize her to leave her matrimonial home. The learned counsel, in this context, has further submitted that infact the deceased had written a suicide note on her wrist and left hand, wherein she had categorically stated that she was living happily in her in-laws family. The translated gist of the said writing found on the wrist and left hand of the deceased reads as follows:-

“My daddy, mummy, please forgive me. It was my compulsion. I am not needed here but I am needed somewhere else. They have been keeping me extremely happy and had never let me shed a tear. They are not responsible for it in any manner. Sukhvir I Love You.

They have been keeping me so happy that I did not even miss you.”

4. Opposing the petition, the learned State counsel has submitted that since in the FIR there is specific allegation to the effect that a demand of motorcycle has been made, no case for grant of bail is made out. While the existence of hand writing on the wrist and hand of deceased had been admitted by State counsel, it has been informed that the said hand writing was never got compared. It has also been informed that the petitioner has been behind bars since the last about 15 months and that challan has already been presented.
5. I have considered rival submissions addressed before this Court.

6. In the FIR, there is no such allegation that any dowry had been given at the time of marriage, which does *prima facie* suggest that it is a case of love marriage. The suicide note as written by the deceased on her wrist and hand virtually gives a clean chit to the petitioner. The challan, in any case, is stated to have already been presented.
7. Keeping in view the aforesaid facts and circumstances and while noticing that the petitioner has been behind bars since the last about 15 months, in my opinion, further detention of the petitioner would not serve any useful purpose. The petition, as such, is accepted and the petitioner Sukhvir Singh is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
8. Since the investigating agency, during the course of investigation, has taken photographs of the handwriting found on the wrist and hand of the deceased, the prosecution is directed to get the said handwriting and signatures compared from handwriting expert with standard handwriting and signatures and any such opinion/report of the handwriting expert that may be obtained be placed before the Trial Court.
9. The present petition stands accepted accordingly.

**29.8.2019**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                      Yes / No