

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

CRM-M-34881-2019  
Date of decision:30.08.2019

KARNAIL SINGH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

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

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Present: Mr. Naresh Singh Shekhawat, Advocate  
for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana.

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

1. The petitioner seeks grant of regular bail in case registered vide FIR No.100 dated 25.3.2019 under Sections 304-B, 201 & 34 of Indian Penal Code, 1860 registered at Police Station Chhappar, District Yamuna Nagar.
2. The FIR was registered at the instance of Kulwinder Singh, wherein it has been alleged that his sister Kuldeep Kaur @ Manju was married to Karnail Singh about 4-5 years back and she was also blessed with boy about 3 ½ years earlier. It has been sated that her sister had earlier been married about 6 years back, but they parted ways and later on she married Karnail Singh. It has been alleged that on 25.3.2019 Harjit Singh informed the complainant telephonically that her sister had died and upon

which he along with other relatives went to the matrimonial home of her sister where her dead body was found lying on a cot which was bearing blue coloured marks on her throat and a 'Chunni' was lying on the bed and there were broken bangles as well. It has further been stated therein that a suicide note was found lying by the bed side which was written in Hindi language and had been signed by complainant's sister in English. It has further been alleged in the FIR that her sister had been troubled by her in-laws on some earlier occasions on account of demand of more dowry.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in fact the deceased herself in the suicide note has given a clean chit to the petitioner. Learned counsel in this regard has referred to the translated gist of the suicide note annexed as Annexure P-3, which reads as follows:

*"I want to die by my own wish. My brother, father or any other relatives should not fight over me. I do not want to live and I am taking this step by getting troubled from life. The take care of my Manjot will be done by his father. I do not want even a single thing from this house after I die. My husband only should do my Last Rites. After I die, there should be nothing of any kind in this house. This is my last wish"*

4. Opposing the petition, learned State counsel has submitted that since an unnatural death had taken place within 7 years of marriage and there are certain allegations regarding demand of dowry in the FIR, no case for grant of bail is made out. It has however been informed that challan has been presented in the present case and that the petitioner has been behind

bars since last about 5 months. As regards the aforesaid suicide note, while the existence and recovery of suicide note has not been denied, but it has been informed that the handwriting of the same is yet to be got examined.

5. Having considered rival contentions addressed before this Court and bearing in mind that challan has already been presented and also that the petitioner has been behind bars since last about 5 months and that it is a case of vague allegations of demand of dowry, although deceased has virtually given a clean chit in the suicide note, in my opinion, further detention of the petitioner behind bars would not serve any useful purpose. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.
6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

30.08.2019  
Gaurav Sorot

( GURVINDER SINGH GILL )  
JUDGE

Whether reasoned / speaking?      Yes / No

Whether reportable?      Yes / No