

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-37233 of 2019 (O&M)
Date of decision : December 11, 2019

Ashish

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Rakesh Kumar Lathwal, Advocate, for the petitioner

Mr. Baljinder Virk, DAG, Haryana for the State with
ASI Raj Kumar

Fateh Deep Singh, J. (Oral)

The allegations against accused-petitioner Ashish @ Ashu in case FIR No. 617 dated 30.7.2018 under Sections 304-B IPC, Police Station City Sonapat have been levelled by a widowed lady mother of deceased Barkha. The complainant alleged that her daughter was married to accused-petitioner Ashish on 22.11.2017 where they had given sufficient dowry articles as per the demands and wishes of the accused. However, the accused were not happy with the same. It is alleged that the accused had been demanding a

car and on this score often used to harass, humiliate and taunt her and which fact was shared by the deceased with her mother the complainant. On 29.7.2018 in the evening around 5.00 PM, the deceased gave a telephonic call to the complainant and while crying had detailed her torture and the phone was thereafter snatched by the accused and who gave her physical beatings and it is thereafter the deceased has died by means of hanging.

Learned counsel for the petitioner submits that the petitioner is behind the bars since 1.8.2018 and it was simpliciter a suicide by the deceased and that no case under Section 304-B IPC was made out.

Learned State counsel has opposed the bail in view of seriousness of the allegations claiming that the deceased within less than one year has died in a suspicion circumstance and had been detailing her plight to the complainant mother in routine and thus in view of heinousness of offence no cause for grant of bail is made out.

The deceased has died within few months of her marriage. There are allegations of demand of dowry, harassment and cruelty on that score immediate prior to this death. The petitioner being husband and the principal accused even at the time

of this occurrence alleged to have assaulted the deceased. The deceased died an un-natural death. In view of the allegations and the apprehension of the State does not calls for grant of bail. The present petition as such stands dismissed.

December 11, 2019

(Fateh Deep Singh)
Judge

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Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No