

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-64689 of 2018 (O&M)
Date of decision : March 18, 2019

Harinder Singh and another

....Petitioners

versus

State of Punjab and another

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. PS Paul, Advocate, for the petitioner

Mr. Avtar Singh Sandhu, Addl. AG Punjab for the State with
ASI Jaswinder Singh, PS Jamalpur, Ludhiana

Mr. CL Verma, Advocate, for the complainant

Fateh Deep Singh, J. (Oral)

This anticipatory bail application of accused-petitioner Harinder Singh father-in-law and Phool Kumari mother-in-law of deceased Preeti sister of complainant Shalinder Kumar has come about in case FIR No. 222 dated 21.10.2018, under Sections 304-B, 120-B IPC, PS Jamalpur, District Ludhiana.

The facts are as follows:-

A marriage took place between Preeti now deceased and Dinesh Kumar accused non-applicant on 20.6.2017. On account of

matrimonial dispute arising as per the allegations levelled in the FIR were on account of demand of dowry, harassment and cruelty by the accused including the present petitioners. On 20.10.2017, the deceased died because of hanging at her matrimonial home leading to the registration of the case, the next very day.

Mr. PS Paul, learned counsel for the petitioners has argued that co-accused of the petitioner have already been allowed bail by this Court and that no specific role is attributed to the petitioner and their allegations are only collective. It is further contended that the petitioners are old parents and are not beneficiaries of the alleged demand arguing that the petitioners were residing separately from the deceased on the ground floor whereas the deceased resided on top floor of the house and therefore, no role can be attributed and that nothing is to be recovered at their behest.

Mr. Avtar Singh Sandhu, Addl. AG Punjab assisted by ASI Jaswinder Singh, PS Jamalpur, Ludhiana and Mr. CL Verma, Advocate, for the complainant have opposed the grant of bail on the grounds that there is specific allegations of demand of dowry and the deceased has died an unnatural death within seven years of marriage under suspicious circumstances and therefore, the petitioners are not entitled to grant of any relief.

Appreciating the arguments admittedly the deceased Preeti wife of accused non-applicant Dinesh has died within seven years of her marriage under suspicious circumstances by an un-natural death in her matrimonial home. Soon prior to her death there are allegations that the

deceased was being harassed and tortured by the accused including the present petitioners on account of demand of dowry and inspite of the family of the deceased having dolled out money, the accused were not happy. The deceased as per the allegations even confided in her family of this ill-treatment. Thus, in the light of these circumstances, custodial interrogation of the petitioners is very much essential for comprehensive investigations into this ugly episode. Finding no merit, the instant petition is dismissed.

March 18, 2019

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No