

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-59120 of 2018 (O&M)
Date of decision : November 25, 2019

Arun Kumar

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Amit Dhawan, Advocate, for the petitioner

Ms. Sakshi Bakshi, AAG, Punjab for the State

Fateh Deep Singh, J. (Oral)

Records received. Arguments addressed.

The allegations in this second regular bail application under Section 439 Cr.P.C. by Arun Kumar are that Jyoti (now deceased) was married to the petitioner on 14.10.2015, wherein the complainant Asha Rani mother of the deceased claimed that she has given sufficient dowry articles as per their status and demands of the accused. However, in-laws including the petitioner husband of the deceased were not happy with the same and raise more

demand. It is alleged that the deceased used to confide in her physical and mental abuse at the hands of accused. One week prior to this occurrence which took place on 10.2.2016 the accused petitioner had left the deceased at the house of her parents and thereafter upon settlement on 9.2.2016 the deceased was again rehabilitated and the very next day around 9.00 AM on account of immense pressure of the accused the deceased committed suicide by hanging herself.

Learned counsel for the petitioner inter-alia contends that the petitioner is behind bars since more than three years and neither there is any specific allegations against the petitioner nor he is responsible for the same and rather it was educational disparity which led to this unfortunate incident.

Learned State counsel has opposed the bail on the grounds that the trial has since been accomplished and only one witness remains to be examined and in view of the seriousness of the allegations the petitioner who is principal accused is not entitled to any concession of bail.

The very allegations of the prosecution the fact that the trial is almost over together with the fact that charges under Section 304-B IPC and in the alternative under Section 302 IPC have come

about and therefore, in view of the seriousness of the offence the petitioner is disentitled to any relief. Having no merit, the present petition stands dismissed.

The observations made herein above shall have no bearing on the merits of the case as these are purely for the disposal of the present bail application.

Records be sent back.

November 25, 2019

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No