

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

CRM-M-54739-2018

Date of decision:11.9.2019

VEENA RANI AND ANOTHER

....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Munish Gulati, Advocate
for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. C.S. Jattana, Advocate for the complainant.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek grant of anticipatory bail in respect of FIR No.92 dated 28.6.2017 under Section 304-B IPC, Police Station Makhu, District Ferozepur wherein they have been ordered to be summoned vide order dated 17.11.2018 passed by trial Court on an application filed by prosecution under Section 319 Cr.P.C. so as to face trial for offences punishable under Section 304-B IPC.
2. The FIR in the present case was lodged at the instance Gurmukh Singh wherein it has been alleged that his daughter namely Usha Rani was married to Jaswinder Singh about 7 months back and he had given dowry as per their status at the time of marriage. It is alleged that his daughter's husband Jaswinder Singh, her father-in-law Balkar Singh Singh and mother-in-law Veena Kaur were however not satisfied with the dowry and

used to harass his daughter in order to press upon their demands of more dowry and also used to give beatings to her. It is alleged that about one month back his daughter's in-laws threw her out of her matrimonial home after giving beatings and had told her to get a car and more dowry from her parental home failing which she would not be rehabilitated in her matrimonial home. It is alleged that complainant's daughter being disturbed by the said fact and also on account of the fact that the complainant was unable to fulfill the demands of her in-laws set herself ablaze after pouring kerosene oil on herself. Although Usha Rani was immediately taken to hospital but she could not survive.

3. The matter was investigated by the police and upon conclusion of investigation, a challan was presented against Jaswinder Singh only i.e. against the husband of the deceased whereas remaining accused were kept in column No.2. The trial Court framed charges against Jawinder Singh in respect of Section 304-B IPC and subsequently after recording some evidence, an application was filed under Section 319 Cr.P.C. seeking summoning of the present petitioners who were accordingly summoned vide order dated 17.11.2018.
4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated by the complainant simply in order to wreak vengeance being aggrieved by death of his daughter who had admittedly committed suicide in her parental home. It has further submitted that vague allegations of demand of dowry had been levelled in the FIR which are hardly sufficient to attract offence punishable under Sections 304-B

IPC.

5. While opposing the petition, learned State counsel assisted by learned counsel for the complainant have submitted that since the petitioners are specifically named in the FIR and complainant had fully supported the prosecution case when he stepped into the witness-box, no case for grant of anticipatory bail is made out. Learned State counsel has however informed that pursuant to interim direction issued by this Court on 27.12.2018, the petitioners had appeared before the trial Court and had furnished bail bonds.
6. Having regard to the facts and circumstances of the case and while noticing that it is a case where the petitioners have been summoned with the aid of Section 319 Cr.P.C. and had already appeared before the trial Court, present case is not such which would warrant detention of the petitioners at this stage. Accordingly the petition is accepted and the interim directions issued vide dated 27.12.2018 by this Court are hereby made absolute with liberty to trial Court to impose any other condition as deemed fit to ensure regular appearance of the petitioners during proceeding of trial.

(GURVINDER SINGH GILL)
JUDGE

11.9.2019
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No