

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

**CRM-M No.3164 of 2020**

Date of decision: 31<sup>st</sup> January, 2020

Gagandeep

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present: Mr. KBS Mann, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. Dy. Advocate General, Punjab  
for the respondent.

**FATEH DEEP SINGH, J.**

Petitioner Gagandeep whose earlier regular bail application under Section 439 Cr.P.C. was dismissed by this Court on 09.04.2019, has come up in this second petition seeking regular bail in case bearing FIR No.114 dated 12.11.2018 under Sections 304-B, 34 IPC pertaining to Police Station Khuian Sarwar, District Fazilka. The present case was got registered by the complainant, brother of the deceased Kusum aged around 25 years. The complainant alleges that the deceased was married with Siri Ram about five years before the date of occurrence i.e. 12.11.2016 and there has been repeated demand of dowry by the accused side. The complainant alleges that in spite of the couple being bestowed with two kids aged around 1½ years and 3 years, the husband and his family members were not happy with the articles given at the marriage

and demanded more. The deceased was being repeatedly assaulted for that purpose besides being tortured to force her to bring more. It was on 12.11.2018 an intimation was received that the deceased Kusum as a consequence of this cruelty and harassment was forced to commit suicide by hanging.

Learned counsel for the petitioner Mr. K.B.S. Mann, Advocate has sought to plead that the petitioner is married younger brother of husband of the deceased and there is no specific allegation against him in commission of the offence. It is contended that the petitioner was residing separate from the family of the deceased and thus, there was no occasion for demand of dowry nor any benefit was supposed to accrue to the petitioner out of the same.

Learned State counsel Mr. C.L. Pawar, Sr. Dy. Advocate General, Punjab has sought to highlight the allegations to drive home the fact that it was a joint household and right from the inception of the marriage allegations of harassment and cruelty on account of demand of more dowry have come up against the petitioner and therefore, no case for grant of bail is made out.

Heard.

The petitioner is behind bars for almost one year and three months. A close look at the allegations shows clear cut insinuation against the petitioner along with others for giving beatings to the deceased and demanding more dowry. The name of the petitioner

certainly crops up in these allegations and in the totality of the same commensurate with the nature of the offence, no case to allow bail to the petitioner is made out. The petition being without any merit, stands dismissed.

(FATEH DEEP SINGH)  
JUDGE

January 31, 2020  
*rps*

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |