

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

**CRM-M-18561 of 2020(O&M)
DATE OF DECISION : 28.08.2020**

Gulab

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Partap Singh, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG Haryana.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 144 dated 19.10.2019, registered under Sections 304-B, 498-A and 316 IPC, Police Station Titram, District Kaithal.
2. Per FIR, deceased was married to the petitioner somewhere in 2017. She died an unnatural death on 19.10.2019 i.e. within two and a half years of her marriage. Her dead body was found hanging with ceiling fan. FIR was registered on the complaint of brother of the deceased, wherein he suspected murder of his sister by her in-laws for want of dowry and not agreeing to abort the pregnancy.
3. Learned counsel for the petitioner submits that petitioner is in custody since 28.10.2019 . Investigation is over but there is no headway in the trial due to Covid-19 pandemic. He further submits that co-accused of the petitioner, namely, Kamla (mother-in-law) has been granted regular bail by the

trial Court. He further submits that there are no specific allegations against the petitioner.

4. On the other hand, learned State counsel submits that deceased was pregnant and it cannot be expected of a lady to commit suicide during that stage. He has also points out that a note too was recovered from the scene of incident, wherein the deceased has written that her husband i.e. petitioner consumed liquor daily which resulted in everyday quarrel.

5. Per learned counsel for the petitioner, the authenticity of writing, *ibid*, has yet to be ascertained. At worst, it can be a case under Section 306 IPC, for which the petitioner has already undergone custody of about ten months.

6. The submissions/ pleas raised by learned counsel for the petitioner are to be adjudicated at the trial, depending upon nature of evidence that would come against the petitioner and his co-accused. The petitioner cannot seek parity with co-accused. In the writing, Annexure P-2, he has specifically been named. However, at this juncture, this Court would refrain from commenting thereupon. Taking into account the seriousness of the offence and the nature of allegations, the petitioner, being the husband of the deceased, who died within two and a half years of her marriage and was pregnant at that time with another 11 months old baby to look after, does not deserve to be released on bail at this stage.

6. In the premise, the petition is dismissed.

August 28th 2020
Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No