

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

CRM-M-18982-2020(O&M)

Date of decision:-29.7.2020

Kulwant Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Sanjay Verma, Advocate
for the petitioner.

Mr.Karan Sharma, AAG, Haryana.

H.S. MADAAN, J.

Case taken up through video conferencing.

This second petition for regular bail has been filed by Kulwant Singh – an accused in FIR No.351 dated 5.9.2019 for the offences under Sections 306/304-B/498-A/34/120-B IPC and Section 4 of Dowry Act, registered with Police Station Ladwa.

In nutshell, facts of the case as per the prosecution version are that criminal machinery in this case was set into motion by complainant - Smt.Malkeet Kaur wife of Sarvprit Singh, resident of Prem Nagar, Ambala City, who in her statement made to the police stated that her younger sister Ravinder Kaur was married with Hardeep Singh son of

Kulwant Singh (present petitioner), resident of village Niwarsi on 7.1.2019; Hardeep Singh happened to be a non-resident Indian living in Spain; after getting married with Ravinder Kaur, he stayed in India for about two months and returned to Spain thereafter; Ravinder Kaur continued residing with her in-laws i.e. Father-in-law - Kulwant Singh (present petitioner), mother-in-law - Harvel Kaur and sister-in-law (Jethani) – Baljeet Kaur; after Hardeep Singh left for Spain, his parents Kulwant Singh – father and Harvel Kaur – mother started harassing and maltreating Ravinder Kaur; Ravinder Kaur used to inform the complainant in that regard; on 4.9.2019 at about 3:30 p.m. while the complainant was there in her house at Ambala, then she received a telephonic call from her sister Ravinder Kaur stating that she was greatly upset on account of her harassment at the hands of her parent-in-law; during the course of conversation Ravinder Kaur disclosed that she had reached upper floor of her home; thereafter the phone got disconnected; the complainant tried to reestablish the telephonic connection but Ravinder Kaur did not collect the calls; subsequently the complainant made telephonic calls to Harvel Kaur – mother-in-law of Ravinder Kaur and Baljeet Kaur – sister-in-law of Ravinder Kaur and came to know that Ravinder Kaur was unconscious; the complainant along with her husband went to Civil Hospital, Ladwa and found dead body of Ravinder Kaur to be there. The complainant in her statement to the police stated that fed up with the maltreatment and harassment at the hands of her parent-in-law Ravinder Kaur had committed suicide and action be taken against them. Formal FIR was registered. Kulwant Singh and Harvel Kaur were arrested

in this case. On completion of investigation and other formalities, challan against them has been filed in the Court and they are facing trial. The petitioner/accused had filed an application for regular bail before the Court of Sessions at Kurukshetra. However, his such application was dismissed vide order 6.2.2020 by Additional Sessions Judge (Exclusive Court for Heinous Crime against women). The petitioner had earlier knocked at the door of this Court by way of filing CRM-M-12655-2020 with the same prayer. However, on 3.6.2020, learned counsel for the petitioner stated that he be permitted to withdraw the instant petition granting him liberty to file fresh one after statements of complainant and other material witnesses are recorded. Therefore, as per order of the even date, the petition was dismissed as withdrawn with the liberty asked for. Now the petitioner has approached this Court again praying for the similar relief, which request is being resisted by the State counsel.

I have heard learned counsel for the parties besides going through the record.

Admittedly, statements of complainant and other material witnesses are yet to be recorded. Therefore, petitioner can certainly not bring a fresh petition since there has not been any visible change in the circumstances after dismissal of the first petition and furthermore the condition on which the liberty to file fresh petition had been granted has not been fulfilled.

Though learned counsel for the petitioner has contended that on account of Corona Pandemic proceedings in the trial Court are held up but hopefully things will be back to normal in near future.

Furthermore, the allegations against the petitioner are very grave and serious that he along with his wife and co-accused Harvel Kaur by causing harassment and maltreatment to a young newly married girl Ravinder Kaur had forced her to commit suicide. In that way, there are allegations of abetment of suicide against them. Ravinder Kaur had died within less than a year of her marriage with Hardeep Singh.

Though it is stated by learned counsel for the petitioner that Kulwant Singh, present petitioner is aged about 60 years and is not keeping good health but keeping in view the serious type of allegations against him, he does not deserve concession of regular bail since there is strong apprehension of his trying to tamper with the prosecution evidence by giving threat or inducement to the prosecution witnesses.

For the reasons explained above, the petitioner is certainly not entitled to get any interim bail or regular bail as prayed for.

Therefore, finding no merit in the petition, the same stands dismissed.

29.7.2020
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No