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**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-27039-2020(O&M)

Date of decision : 09.12.2020

Sukhdeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Monty Goyal, Advocate for the petitioner.

Mr. H.S. Sitta, AAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.67 dated 23.05.2019 under Section 304-B read with Section 34 of the Indian Penal Code, 1860 registered at Police Station Doraha, District Ludhiana, Punjab.

In the FIR registered on the complaint of Sukhdev Singhit has been alleged that the marriage of his daughter, Sukhpreet Kaur, was solemnized in December 2017. A daughter had been born to her two months ago. Shortly after the marriage, her in-laws demanded dowry articles but the complainant was unable to accede to the demand of dowry. It is further the allegation that the daughter of the complainant was harassed by her in-laws on the pretext of dowry. She had not been allowed to meet her parents for a year and the harassment caused to her by her in-laws had made his daughter mentally turmoiled. It is further

alleged that on the intervening night of 21.05.2019 Sarabjit Singh, the father-in-law of the complainant's daughter, telephonically informed the complainant that the complainant's daughter was admitted in Sidhu Hospital, Doraha being unwell and that the hospital had referred her to CMC Ludhiana. The complainant and family members reached CMC Ludhiana and condition of his daughter was quite serious and on 22.05.2019 at around 8 pm she expired in CMC Ludhiana. The complainant further alleged that his daughter had been died because of some poisonous substance having been given by her husband Sukhdeep Singh, mother-in-law Paramjit Kaur, brother-in-law (Jeth) Babbu and father-in-law Sarabjit Singh.

Counsel for the petitioner has contended that his client has been falsely implicated in the case. According to him, the petitioner and Sukhpreet Kaur (deceased) were happily married and she was never harassed and maltreated for dowry. According to the counsel, Sukhpreet Kaur (deceased) had died a natural death and he relied on the MLR Annexure P-4. Counsel for the petitioner further submitted that Sukhpreet Kaur (deceased) had complained to the police against her parents and brother vide Annexure P-2 and the issue was later compromised vide Annexure P-3 and it was only to take revenge that the petitioner was implicated in the case.

Learned State counsel has opposed the bail application contending that the petitioner is accused of a serious offence where a young woman has lost her life. It is submitted that the petitioner has specifically been named in the FIR and has also alleged to have joined hands with the remaining members of the family in harassing Sukhpreet Kaur (deceased). If released on bail, the petitioner could influence the

Prosecution witnesses. As such, no case for grant of bail is made out.

I have heard counsel for the parties. Sukhpreet Kaur (deceased) has died within seven years of her marriage with the petitioner. Her father, the complainant, has alleged demands of dowry of having been made and his daughter being harassed. The petitioner has been named in the FIR and is accused, alongwith others, of having given some poisonous substance to Sukhpreet Kaur (deceased). As per the MLR Annexure P-4 Sukhpreet Kaur (deceased) had no co-morbidities but there is mention of an unknown injectable drug being taken on 21.05.2019. She died on 22.05.2019 aged only 27/28 years. The petitioner is accused of a serious and grave offence of dowry death. Several Prosecution witnesses are yet to be examined in Court and the petitioner may, if released on bail, influence them. In view of these factors this Court is not inclined to order release of the petitioner on regular bail at this stage. The present petition is, as such, dismissed.

It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case as the same have been made for the limited purpose of deciding the instant bail petition only.

Dismissed.

09.12.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO