

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.101

CRM-M-28491-2020

Date of decision : 18.9.2020

Tarsem Lal and another

..... Petitioners

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vipin Mahajan, Advocate, for the petitioners.

Mr. Mehardeep Singh, Addl. A.G, Punjab.

Mr. Vishal Sharma, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioners seek anticipatory bail in case FIR No.230 dated 12.8.2020, registered at Police Station, Dinanagar, District Gurdaspur, Punjab, under Sections 304-B, 498-A, 406 and 120-B, IPC.

According to the allegations made in the FIR, the daughter of the complainant was killed by poisoning and the reason appears to be demand for dowry and giving birth to a girl child.

The petitioners are in-laws of deceased, namely, Komal Kaushal.

Learned counsel for the petitioners submits that a perusal of the FIR shows that no specific allegations have been made against the petitioners. Even, in representation dated 1.4.2019 (Annexure P-2), allegations have been made against the husband, who is in custody. In any case, even as per the FIR, the couple had allegedly separated after the birth of the daughter in January, 2018 and thus, it is evident that the petitioners have been falsely implicated.

He also relies upon order dated 10.9.2020 passed in CRM-M-27116-2020 (Annexure P-3), whereby, the unmarried sister-in-law and brother-in-law have been granted interim bail.

Despite the valiant attempts of learned counsel for the petitioners to convince me, he has not succeeded in doing so. The deceased was living with her husband alongwith the petitioners and allegations of harassment and ill-treatment have been made against the petitioners also. The argument that after the birth of the daughter, the couple had been made to separate from the family in January-2018, cannot be accepted in the light of complaint dated 1.4.2019 (Annexure P-2), which was submitted more than a year after the alleged separation. Had the separation, in fact, taken place, the complaint dated 1.4.2019 (Annexure P-2), would have reflected so. A young girl has lost her life soon after her marriage. To my mind, this is a reflection of the depraved mind set of our society and is a serious challenge confronting us. People accused of such inhuman behavior deserve no concession at the hands of the Courts of law.

For the aforementioned reasons, the petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

18.9.2020

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No