

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

CRM-M-31236-2020 (O&M)

Date of decision: 15.12.2020

Kulwant Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

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

Present: Mr. Ashit Malik, Advocate for the petitioner.

Mr. Karan Garg , AAG, Haryana.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This third petition for regular bail has been filed by petitioner Kulwant Singh, aged about 60 years, an accused in FIR No.351 dated 05.09.2019, for offences under Sections 306, 304B, 498A, 120B, 34 IPC and Section 4 of Dowry Prohibition Act, registered with Police Station Ladwa, District Kurukshetra.

The first petition for regular bail filed by petitioner had been withdrawn by learned counsel for the petitioner on 03.06.2020 and the second petition was dismissed, vide order dated 29.07.2020, passed in CRM-M-18982-2020.

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 06.02.2020 by Additional Sessions Judge (Exclusive Court for Heinous Crime against women). 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.

Learned counsel for the petitioner has stated that the prosecution has examined all the material witnesses and none of them have supported the prosecution story. This fact is conceded by learned State counsel, on instructions from SI Mool Chand. Learned counsel for the petitioner has further contended that co-accused/wife of the petitioner, namely Harvail Kaur has been granted regular bail by this Court in CRM-M-27745-2020, copy of order being Annexure P4 and furthermore, the petitioner is stated to be aged about 60 years, not keeping good health.

Under the circumstances, the present petition is accepted. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate, Kurukshetra, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses; and
- (iii) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard.

15.12.2020
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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No