

CRM-M-964-2020

Date of decision: 17.01.2020

Vikas

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Rakesh Nehra, Advocate
for the petitioner.Mr. Deepak Manchanda, Addl.A.G., Haryana
for the respondent-State.**FATEH DEEP SINGH, J.**

This second regular bail application under Section 439 Cr.P.C. of accused/petitioner-Vikas is in case got registered by way of FIR No.310 dated 22.09.2018 under Sections 304-B and 34 of the Indian Penal Code registered at Police Station Line Par Bahadurgarh, District Jhajjar. The brief allegations are as follows:-

The present case was got registered by Radhe Shyam, brother of deceased-Rekha. It is alleged that the deceased entered into a wedlock with the accused/petitioner in December, 2016 which was love marriage. The complainant alleges that on account of demand of dowry, cruelty and harassment, the accused/petitioner compelled the deceased to put an end to her life on 22.09.2018 by means of hanging at her matrimonial home.

Learned counsel for the petitioner *inter alia* contends that it was a pure love marriage and, thus, cause of demand and giving of dowry does not arise as it was against the wishes of the parents of the two sides. It is contended that the petitioner is behind the bars for almost 01 year 04 months and there is no suicide note and has sought to claim that the deceased was senior in age to the petitioner/husband by almost six years and there is no specific obligation to the petitioner and the trial is not likely to be concluded in the near future.

The learned State counsel has sought to oppose the relief on the grounds that earlier, bail application of the petitioner was declined by this Court and no fresh ground has arisen. There are specific allegations against the petitioner of the commission of the offences.

The allegations on the face of it appears that it was a love marriage but nothing is suggestive that it was against the wishes of the parents or that there was no cause of giving articles of *Istridhan*. The young bride has died within two years of her matrimonial life and there are allegations of demand of dowry, cruelty and harassment on account of the same, immediate prior to the death.

In light of the fact that it is a homicidal death and, therefore, the apprehension of the State that if allowed bail, the

petitioner might stifle the trial is not unfounded, thus, finding no merit, the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

17.01.2020
Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No