

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

CRM-M No.53636 of 2019 (O&M)

Date of decision: 18th February, 2020

Kuldeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sachin Dhull, Advocate for the petitioner.

Mr. Deepak Manchanda, Addl. Advocate General, Haryana
for the respondent/State.

Mr. Manoj Kaushik, Advocate for the complainant.

FATEH DEEP SINGH, J.

In this second regular bail application under Section 439 Cr.P.C. of accused petitioner Kuldeep in case bearing FIR No.298 dated 02.06.2018 under Sections 304-B, 34 IPC pertaining to Police Station City Jind, the precise allegations have come about to the effect that marriage of the petitioner was solemnized 2 ½ years prior to the present occurrence and the latter took place on 01.06.2018. It is alleged that the petitioner husband along with his family since inception of the marriage were not happy with the dowry and often demanded more and on account of which they often used to ill-treat the deceased Kirti. In spite of repeated Panchayats and payment of ₹ 1,50,000/- and ₹ 1,00,000/- on different occasions the accused did not desist from harassing and ill-treating the deceased, as a consequence of which the deceased was forced to put an end to her life by means of hanging, leading to registration of the present case.

Learned counsel for the petitioner Mr. Sachin Dhull, Advocate inter alia contends that the plaintiff is behind bars for more than one year and eight months and that there is no specific allegation against the petitioner husband.

Learned State counsel Mr. Deepak Manchanda, Addl. Advocate General, Haryana though has not displaced the facts brought to the notice of this Court but has sought to vehemently oppose the grant of bail on the grounds that there are clear cut allegations against the petitioner husband for harassment on account of demand of dowry and the fact that it was due to the act and conduct of the petitioner the deceased was forced to take this drastic step. It is contended that even the husband because of such behaviour developed differences with his first wife and a similar criminal case for demand of dowry etc. was registered against him by the first wife and therefore, argued that in view of the heinousness of the offence and seriousness of allegations disentitles the petitioner to any relief.

Appreciating the submissions of the two sides, in view of what has come about the factum of his previous conduct to the similar effect are grave matters of concern. The apprehension of the State that if allowed bail the petitioner might influence the trial, is not unfounded. Finding no merit the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

February 18, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No