

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

**CRM No.M-2330 of 2021
Date of Decision: February 10, 2021**

Sanjay

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Aditya Yadav, Advocate
for the petitioner.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case bearing FIR No.10 dated 07.01.2020 under Sections 304-B and 498-A IPC, Police Station Sadar Narnaul.

Notice of motion.

Ms.Harpreet Kaur, AAG, Haryana, accepts notice on behalf of the respondent-State.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The aforesaid case was registered, at the instance of Virender Singh son of Shyam Sunder Yadav, who is father of the deceased. As per his version, Priya, his daughter, who was 19 years old, got married to

Sanjay- present petitioner on 07.05.2019. Even though, at the time of marriage of his daughter, he had given sufficient dowry but however Priya's in-laws used to harass her, for demand of dowry. In fact, he had given Hero Honda Splendor motorcycle in dowry, but his son-in-law i.e. the present petitioner, used to harass the deceased, on account of demand of 'Bullet' motorcycle. On the morning of 07.01.2020, complainant received information through one Karan Singh, resident of Goad, who lives in the neighbourhood of Priya's in-laws that his daughter has died.

Now, it is submitted by learned counsel for the petitioner that the present petitioner has been falsely implicated in the present case. There was no demand of dowry, as such. In fact, it is submitted, at the behest of the petitioner that deceased Priya was having an affair with some other boy and was not interested to live with the present petitioner. Resultantly, she has committed suicide. Also, it is submitted that even the petitioner is in custody since 08.01.2020. The conclusion of the trial is likely to take long time. As such, a prayer has been made for grant of regular bail to the petitioner.

On the other hand, learned State Counsel resists the claim of the petitioner for grant of regular bail, as she submits that even though, challan has been presented and charge has been framed but yet, no witness has been examined. Also, it is submitted that there are clear and specific allegations of demand of dowry, at the behest of the petitioner, who is husband of the deceased and also, Priya has died within one year of her marriage and that too under unnatural circumstances. Keeping in view the gravity of the offence so committed, she has made a prayer for rejection of

the bail petition.

The petitioner is the husband of the deceased, who had died within one year of her marriage and that too otherwise than under normal circumstance and there are specific allegations about harassment to the deceased for demand of bullet motorcycle. Even, the copy of the post-mortem report of the deceased, which has been placed on record, reveals about the body of the deceased, at the time of post-mortem, found to be having injury marks. The deceased had died in the house of the petitioner, who is her husband and at this stage, there is nothing, as such, coming on record, to substantiate the plea of having committed suicide, on account of Priya (deceased) having an affair with some other boy, as alleged.

Moreover, as submitted by learned State counsel, even though, charges have been framed, but however, no witness, as such, has been examined.

Thus, considering the serious nature of allegations and initial stage of the case and more particularly, relationship of the petitioner with the deceased, at this stage, this Court is not inclined to grant benefit of regular bail to the petitioner.

Consequently, the present petition is dismissed.

February 10, 2021
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No