

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-9284-2021 (O&M)
Date of Decision:-4.3.2021

Gurmail Singh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Paramjit Singh Sullar, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by SI Phool Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.451 dated 20.8.2020 at Police Station Shahabad, District Kurukshetra under Sections 304-B and 34 of Indian Penal Code, wherein offences under Sections 328 and 498-A IPC were added later on.
2. The FIR was lodged at the instance of Jeet Singh, wherein it is alleged that his daughter Harmeet Kaur was married to Virendra Son of Gurmail Singh on 26.1.2014. Although at the time of marriage he had given dowry beyond his capacity to his daughter, but the in-laws of his daughter used to taunt her for having brought less dowry and for not having brought a car. The

complainant alleged that his daughter Harmeet Kaur used to disclose to them several times about the demands of her in-laws as regards car and regarding the harassment being met out to her. The complainant convened several Panchayats to resolve the issues but to no avail. The complainant alleged that in the year 2016 he managed to collect an amount of ₹2.35 lakhs from his relatives and gave it to the in-laws of his daughter for the purpose of purchasing a car but yet they were not happy and kept on quarreling with his daughter. On 19.8.2020 at about 11:30 P.M. he received telephonic information that his daughter Harmeet Kaur was admitted in Adesh Hospital, Morha as a case of poisoning. Immediately upon receiving the said information, the complainant alongwith his son Gurjant Singh and other members of the family rushed to the hospital where he was informed that his daughter has expired. The complainant alleged that his daughter's husband Virendra Singh, father-in-law Gurmail Singh (petitioner), mother-in-law Kuldeep Kaur and aunt-in-law Babli were responsible for his daughter's death.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case in an attempt of the complainant to rope in all the members of the family of the petitioner and that infact it is apparently a case where the deceased had committed suicide being under some kind of depression. It has further been submitted that a perusal of the FIR itself would show that general allegations have been levelled against all the accused and no specific role is attributed to any of them. Learned counsel has submitted that the petitioner is an aged and infirm person of 62 years and since challan already stands presented, he deserves the concession of bail.

4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and was residing in the same premises, where the deceased was residing, no case for grant of bail is made out as an unnatural death had occurred within 7 years of marriage of the deceased and particularly when there are allegations of demand of dowry.
5. I have considered rival submissions addressed before this Court.
6. In the FIR indeed general allegations have been levelled against the petitioner. The petitioner, in any case, is aged 62 years and on account of his advanced age, he can be extended the concession of bail particularly when the conclusion of trial is likely to consume time as the trial is yet to commence and charges are yet to be framed. The petitioner is not stated to be involved in any other case. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

4.3.2021

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No