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

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**CRM-M-42279-2018  
Date of Decision: 23.02.2021**

Salindra

Petitioner

Versus

State of Punjab

Respondent

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Rishipal Rana, Advocate for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Rishab Gupta, Advocate for the complainant.

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**AVNEESH JHINGAN, J (Oral):**

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking bail in FIR No.68, dated 30<sup>th</sup> May, 2018, under Sections 302, 304-B, 120-B of IPC and Section 27 of the Arms Act, 1959, registered at Police Station Balachaur, District Shaheed Bhagat Singh Nagar.

The FIR was at the behest of Jaspal Singh. It was stated that he had three daughters. The marriage of one of the daughter Anita Rani was solemnized with Kamal Rana on 25<sup>th</sup> October, 2016. His son-in-law i.e. Kamal Rana went to Italy in year 2017. His daughter was harassed by her in laws in relation to dowry. A

compromise was effected with the intervention of *Panchayat*. On 30<sup>th</sup> May, 2018, Anita Rani gave a phone call to the complainant saying that her father-in-law Rattan Singh had beaten her up. He had smashed her against the wall and carried a double barrel rifle saying that he would kill her. The complainant rang the police women helpline number. Thereafter, the complainant along with his son and nephew rushed to Village Thathiala Bet and saw dead body of Anita Rani having been shot on her chest. The allegations were that Rattan Singh together with his wife Salindra (petitioner) had murdered Anita Rani.

Mr. Rishipal Rana, learned counsel for the petitioner submits that entire case is based on the telephonic conversation between Anita and the complainant; the petitioner is in her 60s and is suffering from certain ailments; she has no criminal antecedents and the trial is being delayed.

Ms. Rashmi Attri, Assistant Advocate General, Punjab submits that petitioner was specifically named in the FIR. Twenty three out of twenty nine prosecution witnesses have been examined. The matter is fixed for the cross-examination of the complainant today i.e. 23<sup>rd</sup> February, 2021.

Mr. Rishab Gupta, Advocate for the complainant states that a transcript of phone call recording made by deceased was placed on record on 10<sup>th</sup> December, 2019. As per the transcript, voice of woman is audible saying that let both of us kill her.

At this stage, learned counsel for the petitioner submits

that electronic evidence has to be supported by a certificate under Section 65B of the Indian Evidence Act, 1872. He further submits that there is a report of DSP wherein petitioner was found innocent.

The petitioner was named in the FIR. There are allegations in the FIR that deceased was being harassed by in laws for dowry. The allegations are fortified by the fact that there was compromise entered between the parties in the *Panchayat*. Section 120-B of IPC has been invoked against the petitioner. There is nothing on record to show that there is inordinate delay in the proceedings of the trial. As a matter of fact out of twenty nine prosecution witnesses, twenty three have been examined, in spite of the fact that working of the Court was affected due to COVID-19 situation. The complainant is yet to be cross-examined.

The contention that petitioner is an old lady and is suffering from ailments in itself would not be a ground for granting bail. Firstly, there is nothing on record to show any ailment and secondly, there is no averment that she is not being provided medical treatment, if required.

It would not be appropriate to comment upon the evidentiary value of the transcript and call recording at this stage. Suffice to say that there is some material to support accusation against the petitioner.

The report of DSP to the effect that petitioner is innocent holds no water, the matter is pending before the trial Court. The

conclusion would be after the consideration of the evidence and witnesses.

In view of above, no case is made out for grant of bail.

The petition is dismissed.

However, it is clarified that nothing stated hereinabove shall be construed as observation on the merits of the case. It is only for the purpose of disposal of bail application.

**[AVNEESH JHINGAN]  
JUDGE**

**23<sup>rd</sup> February, 2021**

*pankaj baweja*

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|-------------------------------|---|-----|
| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable         | : | Yes |