

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-23744 of 2020 (O&M)

Date of Decision: 11.01.2021

Harmanpreet Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Gurpal Singh Sandhu, Advocate for
Mr. Rajbir Singh, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Karandeep Singh, Advocate
for the complainant.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

CRM-29978-2020:

The application is allowed, as prayed. Post-mortem examination report is taken on record as Annexure P-8.

Criminal Misc. No.M-23744 of 2020:

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the

petitioner in case FIR No.29 dated 01.02.2020 under Sections 304-B IPC registered at Police Station City Malout, District Sri Muktsar Sahib.

As per the FIR, the marriage between the petitioner and the deceased was solemnized on 23.03.2018 and the deceased died on 31.03.2020. The allegation against the petitioner and other co-accused are that they used to give beatings to the deceased on account of demand of dowry, for which, a complaint was also made at Police Station City Malout, though the matter was compromised. After about one year of the aforesaid compromise, the deceased contacted the complainant and told that the petitioner is demanding Rs.2,00,000/- for purchasing a car, for which, he is beating and maltreating her. The complainant talked to his sister i.e. deceased Rano Bai and assured her that he will visit her on Sunday and will talk to the family members of her in-laws. On 31.01.2020, the complainant received a call from Gurmeet Singh, father-in-law of the deceased, who told him that due to increase of heart beat, Rano Bai fell ill and he called the complainant immediately. When the complainant enquired about Rano Bai, he came to know that her dead body was lying at Govt. Hospital, Malout and no family member of her in-laws was present there.

Learned counsel for the petitioner has argued that it is the petitioner who had brought the deceased to the hospital. There was no injury on the person of the deceased. In fact, the families of the petitioner and the complainant are in relations and there is no question of demanding dowry. The family of the petitioner was already having two cars and the complainant's family was well aware about the status of the petitioner's

family. He has further submitted that the petitioner was arrested in the case on 01.02.2020 and is in judicial custody since 03.02.2020.

Learned State counsel does not dispute the custody of the petitioner.

Learned counsel for the complainant has opposed the bail application of the petitioner on the ground that the deceased died within two years of her marriage.

I have heard learned counsel for the parties.

Vide order dated 30.06.2020, learned Additional Sessions Judge, Sri Muktsar Sahib, while admitting Paramjit Kaur, mother-in-law of the deceased, on bail, has observed that post-mortem examination of the deceased was conducted and no injury on any part of body was found and the cause of death of the deceased has been opined due to asphyxia because to hanging. Considering the fact that the petitioner is in custody since 03.02.2020 and trial in the case will take sufficiently long time and no useful purpose will be served to keep the petitioner in custody, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, the petitioner shall not try to influence the witnesses in any manner.

January 11, 2021
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No