

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

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**CRM-M-30698-2021
Decided on : 06.08.2021**

Rahul Gupta

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Saurav Bhatia, Advocate
for the petitioner(s).

Ms. Gaganpreet Kaur, Asstt. AG, Haryana
assisted by SI Sajjan Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of bail to the petitioner, in case FIR No. 4, dated 03.01.2021, registered under Sections 304-B, 34 of IPC (later on added Section 306 of IPC), lodged at Police Station Surajkund, District Faridabad.

Learned counsel for the petitioner submits that the petitioner and his deceased wife had been leading a happy married life, subsequent to their marriage on 06.07.2019. However, the deceased remained under depression, as she was unable to conceive a child, as a result of which, she ended her life. In support of his submissions, he has invited the attention of this Court to Annexure P-6, which is stated to be a medical report-cum-prescription of the deceased, wherein, the term “infertility” finds mentioned. Learned counsel further submits that even the allegations of continuous harassment and torture to the deceased are false and belied from the fact that a Car (KWID) was given to the deceased after her marriage. Hence, it could

not be believed that she would have been still subjected to harassment on account of dowry demand and a car. Further submits that no suicide note was left behind by the deceased and it was the petitioner himself, who had informed the complainant about the death of his wife. Lastly, it has been prayed that in the aforementioned facts and circumstances, the petitioner be extended the concession of bail, as similarly situated co-accused i.e. his mother Indira Devi, has already been released on bail vide order dated 24th March, 2021 (Annexure P-4) of the Sessions Court.

Per contra, learned State counsel has vehemently opposed the prayer and submissions made by learned counsel for the petitioner. She has firstly submitted that the case of the petitioner is clearly distinguishable from that of co-accused Indira Devi. While inviting the attention of this Court to the order of bail *qua* the co-accused Indira Devi (mother of the petitioner), she has submitted that the co-accused was extended the concession of bail on the ground that she was an old aged lady. Further, while referring to the contents of the FIR in question, learned State counsel has submitted that there were specific allegations levelled against the petitioner and the co-accused of physically and mentally harassing the deceased, as the petitioner and his family were unhappy with the dowry and also the fact that a small car had been given by the parents of the deceased. The deceased was being continuously ill treated and pressurized to get a big car. Learned State counsel has submitted that since the deceased died an unnatural death in her matrimonial home within 1 ½ years of her marriage on account of continuous harassment being meted out to her by the petitioner and his family, he did not deserve the concession of bail, more so, since only challan had been presented till date.

Heard.

Prima facie, there are specific and serious allegations levelled against the petitioner, for which he does not deserve the concession of bail.

Petition stands dismissed accordingly.

(MANJARI NEHRU KAUL)
JUDGE

August 06, 2021

J.Ram

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>