

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(Heard through VC)**

**CRM-M-32705 of 2021 (O&M)
Date of Decision: 13.8.2021**

Daljit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. HPS Rahi, Advocate
for the petitioner.

JAISHREE THAKUR, J.

This is a petition that has been filed under Section 482 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 15 dated 22.2.201, under Sections 304-B IPC registered at Police Station Kahnuwan, District Gurdaspur.

The brief facts leading to the registration of the instant FIR are that the complainant—Narinder Kaur alleged that her younger daughter, namely Gurmeet Kaur @ Sonam, aged about 25 years, was got married with Daljit Singh on 22.1.2020. In the marriage, she had given dowry as per her status. It is alleged that soon after the marriage, her husband and other family members, namely Gurdial Singh, Kashmir Kaur, Kamaljit Kaur and Jyoti @ Nav, father-in-law, mother-in-law and sisters-in-law, respectively, began to trouble her daughter for bringing less dowry and also used to give her beatings. They would ask the complainant's daughter to bring ₹2 lakhs from her parents because they wanted to send Daljit Singh abroad and when their demand was not fulfilled, they gave beatings to the complainant's

daughter.

On 20.2.2021, when the complainant phoned up her daughter, she told her that she is very disturbed and does not want to stay anymore at her matrimonial home. On this the complainant told her that she would be coming the next day. On 21.2.2021 at about 11.30 a.m., when the complainant, along with her husband, reached the house of her daughter, they saw that people had gathered there and dead body of her daughter, namely Gurmeet Kaur was lying on the bed of her room and her *chunni* was tied with the fan. They came to know that Gurmeet Kaur had committed suicide by hanging from the ceiling fan. It was alleged that all the above persons are responsible for the death of Gurmeet Kaur because they used to harass her for bringing less dowry and particularly when their demand of ₹2 lac was not met.

Learned counsel for the petitioner would contend that he has been falsely implicated in the instant FIR. It is submitted that general allegations of demand of dowry and cruelty have been levelled against the petitioner. It is further submitted that in fact the deceased was never subjected to any cruelty on account of demand of dowry either by the petitioner or his family members. As a matter of fact, the petitioner is working as a Crane Operator in Gujarat and was regularly remitting his earnings to his wife. He was away for the last seven months prior to the suicide committed by his wife and there is not an iota of evidence to suggest that the petitioner harassed the deceased to such an extent that forced her to commit suicide. It is also submitted that essential ingredients of offence under Section 304-B IPC are missing in the FIR and therefore, the petitioner

is entitled to concession of anticipatory bail.

Per contra, learned counsel for the respondent—State opposes the grant of bail to the petitioner on the ground that serious allegations of demand of dowry have been levelled against the petitioner.

I have heard learned counsel for the parties and have gone through the paper book of the petition.

The deceased was married with the petitioner on 22.1.2020 and she committed suicide in her matrimonial home on 21.2.2021 i.e. within one year and 30 days of her marriage. Nobody would like to commit suicide untill and unless there are such circumstances around him/her which forces him/her to do so. In this case, apart from demand of dowry, there is specific allegation of demand of ₹ 2 lacs from the parents of the deceased so as to enable them to send the petitioner abroad. It was bounden duty of the petitioner to take care of his wife and ensure that there is no unnecessary harassment meted out to her. Therefore, since custodial interrogation of the petitioner would be required to unearth the truthfulness of the allegations made in the FIR, this court is not inclined to grant anticipatory bail to the petitioner.

In view of the above, the instant petition is hereby dismissed. However, it is made clear that any observations made herein above have been made only for the purpose of disposal of this petition, which shall have no bearing on the merit of the case.

13.8.2021
prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes
Whether Reportable : No