

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 34437-2021 (O&M)
Date of Decision: 07.09.2021
(Heard through V.C.)

Amandeep Kaur

... Petitioner

VERSUS

State of Punjab

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Ms. Manmohan Kaur Dhaliwal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab

Mr. ADS Jatana, Advocate for the complainant.

JAISHREE THAKUR, J.(Oral)

This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No. 100 dated 15.06.2021 registered under Sections 304-B, 120-B IPC at Police Station Kotbhai, District Muktsar Sahib, Punjab.

Learned counsel for the petitioner, who is the sister-in-law would contend that the petitioner has been falsely implicated in the matter as no specific role has been attributed to her in the FIR. It is argued that the marriage was solemnised on 07.03.2021 and within a short span of time, the brother of the petitioner i.e. The husband of the deceased had already filed a petition for judicial separation under Section 10 of the Hindu Marriage Act.

It is contended that the accusations made against the petitioner are general in nature and she is ready and willing to join the investigation. Apart from that counsel for the petitioner would argue that the conduct of the petitioner and her family members is such that they had taken the deceased to hospital, which would not indicate them of having administering poison to the deceased. In this regard, reliance has been placed upon a judgment rendered by the Supreme Court in *Jaipal vs. State of Haryana* in *Crl. Appeal No. 703 of 2002* dated 01.10.2002, wherein in similar circumstances, it was held that the conduct of the person accused of should also be taken into account.

Per contra, learned counsel for the respondent-State and the complainant would urge that the marriage was solemnized between the parties on 07.03.2021 and within a short span of three months, she was administered Salphaz tablets and there is a call recording available to this effect. It is further argued that at the time of dowry, one Swift car bearing Registration No. PB-30-W-6623, 15 *tolas* of gold and cash was given as per the demands. But as the husband was not satisfied with the dowry given, an additional amount of Rs. 5 Lacs was demanded for changing the said car. An amount of Rs. 1 lac was given by the family of the deceased, however, they were not satisfied. Even when the deceased went back to her parental home, she told them that she is scared of going back to the matrimonial home on account of their unlimited demands. Counsel for the complainant has also shared some photographs of the deceased standing with her husband, who is holding wads of cash on his lap.

I have heard learned counsel for the parties and perused the

paper book as well as the photographs.

Admittedly the petitioner herein, who is the sister-in law was residing in the same house where the deceased was residing. In view of the facts that a call recording is available, which would reflect that the deceased has stated that she has been administered Salphaz tablets, the matter is required to be investigated. The allegations being serious in nature, the custodial interrogation of the petitioner would be required, I, find no ground to entertain this petition.

Petition is dismissed accordingly.

07.09. 2021
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No