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Crl.O.P.No.21643 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 22.08.2022 for the alleged offences punishable under Section 174(3) of Cr.P.C in Crime No.262 of 2022, seeks bail.

2. The case of the prosecution as per the de-facto complainant is that the daughter of the de-facto complainant/victim had love affair with First accused and with the consent of both the families, their marriage was solemnised on 26.08.2022, for which 50 sovereigns of gold jewels and a sum of Rs.2,00,000/- were given to the first accused as sreedhana and they were happy in the matrimonial house only for 10 days. And thereafter, the accused harassed the victim physically by demanding more dowry. Further case of the prosecution is that out of their wedlock, a female child was born on 19.05.2022 and even thereafter, the victim was harassed by the accused, due to which the



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victim committed suicide on 21.08.2022. Based on the complaint given by the de-facto complainant, initially, a case has been registered for the offence under Section 174 (3) Cr.P.C and later, during the course of the investigation finding that there was a demand of dowry, the case was altered to one under Section 498 (A), 306 & 304 (B) of IPC.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the marriage between the petitioner and the victim was solemnised on 26.08.2022 and it was objected by the de-facto complainant and even after the marriage, de-facto complainant harassing the victim, due to which the victim has committed suicide. He would also submit that before marriage the victim had sent a letter to the Jamath stating that she has been harassed by her family members and in order to implicate petitioner in this case, the de-facto complainant has left the fabricated suicide note. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) would submit that it is the case where the woman has committed suicide within one year of marriage. The mother of the victim/de-facto complainant lodged a complaint stating that the petitioner has demanded dowry and physically harassed the victim, thereby, she committed suicide. He would also submit that the investigation is at initial stage and the RDO enquiry is also pending. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the investigation is at initial stage and the enquiry is pending before the Revenue Divisional Officer, this Court is not inclined to grant bail to the petitioner.



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7. Accordingly, this Criminal Original Petition stands dismissed.

08.09.2022

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