

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18653-2022

Date of Decision:- 23.11.2022

BHINDRA RANI @ BHINDER KAUR

....Petitioner.

Vs.

STATE OF PUNJAB

...Respondent.

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Rishabh Gupta, Advocate for the petitioner.
Mr. Kunwarbir Singh, Assistant A.G. Punjab.
Mr. Jagdeep Singh Bajwa, Advocate for the complainant.

AMARJOT BHATTI, J. (Oral)

The petitioner – Bhindra Rani @ Bhinder Kaur has filed instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.03 dated 04.01.2022 under Sections 304-B, 34 IPC (Section 498A and 406 IPC added later on) registered at Police Station Adampur, District Jalandhar.

The facts of the case are that Ram Lubhaya, father of the victim gave his statement that his daughter i.e. Victim got married with Narender Singh on 10.10.2021 as per religious rites. After few days of marriage, she started remaining sad and on enquiry she disclosed that her in-laws were saying that the jewelry given to her was fake. He explained to his daughter to settle down in her in-laws family. However, she was taunted and harassed by her husband Narender, mother-in-law Bhinder Kaur father-in-law Pargat Singh for bringing less dowry. On 02.01.2022 the victim came to meet them at Jalandhar and he enquired about her well being, as she was present with her husband Narender Singh. She claimed that she was fine.

On 03.01.2022 his wife called the victim but her mother-in-law Binder Kaur did not allow to talk to her. At about 6.30 pm Pargat Singh informed that his daughter was sick. He along with his wife and children went to the Helping Hand Hospital, Adampur where it was informed that his daughter was dead. The complainant categorically stated that his daughter has committed suicide by hanging herself as she was ill-treated by her husband Narender, father-in-law Pargat Singh and mother-in-law Bhinder Kaur. On these allegations the present FIR has been registered.

Learned counsel for the petitioner argued that Bhinder Kaur is an old lady suffering from different ailments such as degenerative lumbar spondylosis, severe OA of the right knee and also heart related ailment. No specific role is attributed to her there is no previous complaint regarding maltreatment on account of demand of dowry or bringing less dowry. In the alleged suicide note there are no allegations against the petitioner. The report of Forensic Laboratory for comparison is yet to be received. The petitioner is ready to join the investigation. It is prayed that her anticipatory bail application may be allowed.

The bail application is opposed by counsel representing the State assisted by counsel for the complainant. It is pointed out that the allegations are specific and serious in nature. The victim died within 2 ½ months of her marriage. The present petitioner is specifically named by the complainant. She is yet to join the investigation, therefore, she is not entitled to be released on anticipatory bail.

I have considered the arguments advanced before me. Admittedly, the victim got married with Narender Singh son of the petitioner on 10.10.2021 and she died unnatural death on 03.01.2022 within a period of

about 2 ½ months in the matrimonial home. The post-mortem report is on the file. Prior to this the victim was not suffering from any ailment. The father of the victim has levelled specific allegations regarding maltreatment on account of bringing less dowry in the hands of her husband Narender Singh and both father-in-law and mother-in-law. I have also gone through the contents of alleged suicide note which is only corroborative piece of evidence. The present petitioner is yet to join the investigation in the FIR. There are specific serious allegations against her.

Considering the gravity of the offence, I do not find a fit case for anticipatory bail and the same is accordingly declined.

23.11.2022
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(AMARJOT BHATTI)
JUDGE

Whether the speaking/reasoned:- Yes/No
Whether the reportable:- Yes/No